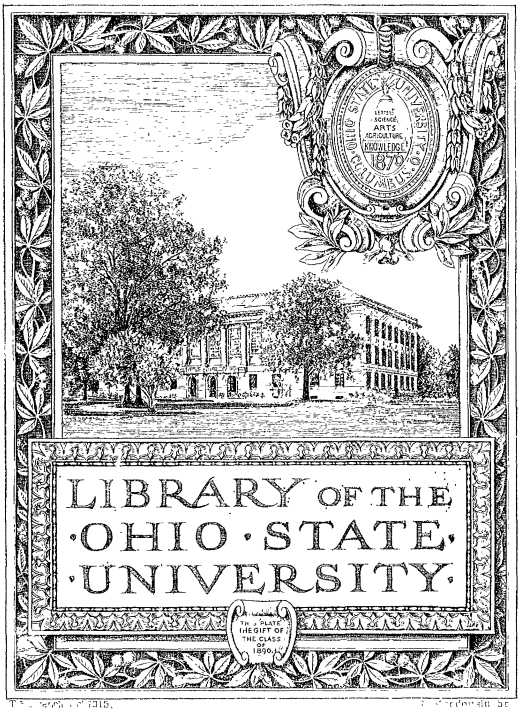

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# MAP OF EUROPE BY TREATY;

SHOWING THE VARIOUS

## POLITICAL AND TERRITORIAL CHANGES

WHICH HAVE TAKEN PLACE

## SINCE THE GENERAL PEACE OF 1814.

With Numerous Maps and Notes.

## VOL. III.

---

"SEGNIUS IRRITANT ANIMOS DEMISSA PER AUREM
QUAM QUÆ SUNT OCULIS SUBJECTA FIDELIBUS."—*Hor.*

---

BY EDWARD HERTSLET, C.B.,

LIBRARIAN AND KEEPER OF THE PAPERS, FOREIGN OFFICE.

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## ERRATA. VOL. III.

Page 1613, Title ; for Principality read Principalities.
„ 1650, note, for 8th November read 9th November.
„ 1749–1758, Amnesty, not Armistice.

**No. 357.**—*TREATY between Great Britain, France, Russia, and Greece, respecting the Union of the Ionian Islands to the Kingdom of Greece. Signed at London, 29th March, 1864.**

ART. TABLE.

Preamble. Reference to Treaty of 5th November, 1815.
1. Renunciation of *Great Britain* to Protectorate over the *Ionian Islands*. Union of *Ionian Islands* to *Greece*.
2. Perpetual Neutrality of *Ionian Islands*. *Greece* to maintain the Neutrality.
3. Treaties, &c., of Commerce and Navigation between *Great Britain* and Foreign Powers relative to *Ionian Islands* to remain in force until conclusion of New Treaty. Terms within which New Commercial Treaties are to be concluded.
4. Freedom of Worship and Religious Toleration.
5. Provision of *Ionian Islands* towards the Civil List of the King of the *Hellenes*.
6. Relinquishment by Protecting Powers of portion of the Annual Sums to be paid to them by *Greece*. Amounts relinquished to form Annual Dotation of King of *Greece*.
7. Contracts between *Ionian Islands* and Foreign Powers to be maintained by King of the *Hellenes*.
8. Pensions, &c., to *British* and *Ionian* Subjects to be paid by *Greece*. Special Convention to regulate amounts.
9. Withdrawal of *British* Forces from the *Ionian Islands*.
10. Ratifications.

(Translation as laid before Parliament.)

*Reference to Treaty of 5th November*, 1815.

In the name of the Most Holy and Indivisible Trinity.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland made known to the Legislative Assembly of the United States of the Ionian Islands that, with a view to the eventual union of those Islands to the Kingdom of Greece, she was prepared, if the Ionian Parliament should express a wish to that effect, to abandon the Protectorate of those Islands, confided to Her Majesty by the Treaty concluded at Paris on the 5th November, 1815 (**No. 39**), between the Courts of Great Britain, Austria, Prussia, and Russia. Such wish having been expressed by a vote of the said Legislative Assembly passed unanimously on the $\frac{7}{19}$th October, 1863 (**No. 354**), Her Britannic Majesty consented by Article I of the Treaty concluded on the 14th November,

* The Sultan acceded to this Treaty on the 8th April, 1865.

1863 (**No. 355**), between Her Majesty, the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of All the Russias, to renounce the said Protectorate under certain conditions specified in that Treaty, and since defined by subsequent Protocols (**No. 359**).

On their part, their Majesties the Emperor of Austria, the Emperor of the French, the King of Prussia, and the Emperor of All the Russias, consented by the same Article, and under the same conditions, to accept such Renunciation, and to recognise, in conjunction with Her Britannic Majesty, the Union of those Islands to the Kingdom of Greece.

In virtue of Article V of the Treaty signed at London on the 13th July, 1863 (**No. 347**), it was moreover agreed by common consent between Her Britannic Majesty and their Majesties the Emperor of the French and the Emperor of All the Russias, that the Ionian Islands, when their Union to the Kingdom of Greece should have been effected, as contemplated by Article IV of the same Treaty, should be comprised in the Guarantee stipulated in favour of Greece by the Courts of Great Britain, France, and Russia, in virtue of the Convention signed at London on the 7th May, 1832 (**No. 159**).

In consequence, and in accordance with the stipulations of the Treaty of the 13th July, 1863 (**No. 347**), and with the terms of Article VI of the Treaty of the 14th November, 1863 (**No. 355**), whereby the Courts of Great Britain, France, and Russia, in their character of Guaranteeing Powers of the Kingdom of Greece, reserved to themselves to conclude a Treaty with the Hellenic Government as to the arrangements which might become necessary in consequence of the Union of the Ionian Islands to Greece, their said Majesties have resolved to proceed to negotiate with His Majesty the King of the Hellenes a Treaty for the purpose of carrying into execution the stipulations above mentioned.

His Majesty the King of the Hellenes having given his assent to the conclusion of such Treaty, their said Majesties have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, Viscount Amberley of Amberley and Ardsalla, a Peer of the United Kingdom, a Member of Her Britannic Majesty's Privy Council, her Principal Secretary of State for Foreign Affairs;

His Majesty the Emperor of the French, the Sieur Godefroy

Bernard Henry Alphonse, Prince de la Tour d'Auvergne Lauraguais, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Philip Baron de Brunnow, his Actual Privy Councillor, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the King of the Hellenes, the Sieur Charilaüs S. Tricoupi, a Representative in the National Assembly of the Hellenes;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon and signed the following Articles:

*Renunciation of Great Britain to Protectorate over the Ionian Islands.*

ART. I. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, desiring to realise the wish expressed by the Legislative Assembly of the United States of the Ionian Islands, that those Islands should be united to Greece, has consented, on the conditions hereinafter specified, to renounce the Protectorate over the Islands of Corfu, Cephalonia, Zante, Santa Maura, Ithaca, Cerigo, and Paxo, with their Dependencies, which, in virtue of the Treaty signed at Paris on the 5th November, 1815 (**No. 39**), by the Plenipotentiaries of Great Britain, Austria, Prussia, and Russia, were constituted a single Free and Independent State, under the denomination of "the United States of the Ionian Islands," placed under the immediate and exclusive Protection of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors.

*Union of Ionian Islands to Greece.*

In consequence, Her Britannic Majesty, His Majesty the Emperor of the French, and His Majesty the Emperor of All the Russias, in their character of signing parties to the Convention of the 7th May, 1832 (**No. 159**), recognise such Union, and declare that Greece, within the Limits determined by the arrangement concluded at Constantinople between the Courts of Great Britain, France, and Russia, and the Ottoman Porte, on the 21st July, 1832 (**No. 161**), including the Ionian Islands, shall from a Monarchical, Independent, and Constitutional State, under

the Sovereignty of His Majesty King George, and under the Guarantee of the 3 Courts.

*Perpetual Neutrality of Ionian Islands.**

ART. II. The Courts of Great Britain, France, and Russia, in their character of Guaranteeing Powers of Greece, declare, with the assent of the Courts of Austria and Prussia, that the Islands of Corfu and Paxo, as well as their Dependencies, shall, after their Union to the Hellenic Kingdom, enjoy the advantages of perpetual Neutrality.

*Greece to maintain the Neutrality.*

His Majesty the King of the Hellenes engages, on his part, to maintain such Neutrality.

*Treaties, &c., of Commerce and Navigation between Great Britain and Foreign Powers relative to Ionian Islands to remain in force until conclusion of New Treaty.*†

ART. III. The Union of the Ionian Islands to the Hellenic Kingdom shall not involve any change as to the advantages conceded to Foreign Commerce and Navigation in virtue of Treaties and Conventions concluded by Foreign Powers with Her Britannic Majesty, in her character of Protector of the Ionian Islands.

All the engagements which result from the said transactions, as well as from the regulations actually in force in relation thereto, shall be maintained and strictly observed, as hitherto.

In consequence, it is expressly understood that Foreign Vessels and Commerce in Ionian ports, as well as the Navigation between Ionian ports and the ports of Greece, shall continue to be subject to the same treatment, and placed under the same conditions as before the Union of the Ionian Islands to Greece, until the conclusion of new formal Conventions, or of arrangements destined to regulate between the parties concerned, questions of Commerce and Navigation, as well as questions relating to the regular service of communication by post.

*Terms within which new Commercial Treaties are to be concluded.*

Such new Conventions shall be concluded in 15 years, or sooner, if possible.†

* A Protocol on this Subject was also signed between the 5 Powers on the 25th January, 1864. See Table, page 1601.

† The Austrian and Prussian Governments assented to this Arrangement.

*Freedom of Worship and Religious Toleration.*

ART. IV. The Union of the United States of the Ionian Islands to the Kingdom of Greece shall in no wise invalidate the principles established by the existing legislation of those Islands with regard to Freedom of Worship and Religious Toleration; accordingly the Rights and Immunities established in matters of Religion by Chapters I and V of the Constitutional Charter of the United States of the Ionian Islands,* and specifically the recognition of the Orthodox Greek Church as the Dominant Religion in those Islands; the entire Liberty of Worship granted to the Established Church of the Protecting Power; and the perfect Toleration promised to other Christian communions shall, after the Union, be maintained in their full force and effect.

The special Protection guaranteed to the Roman Catholic Church, as well as the advantages of which that Church is actually in possession, shall be equally maintained; and the subjects belonging to that communion shall enjoy in the Ionian Islands the same Freedom of Worship which is recognised in their favour by the Protocol of the 3rd February, 1830 (**No. 149**).

The principle of entire Civil and Political Equality between subjects belonging to different Creeds, established in Greece by the same Protocol, shall be likewise in force in the Ionian Islands.

*Provision of Ionian Islands towards the Civil List of the King of the Hellenes.*

ART. V. The Legislative Assembly of the United States of the Ionian Islands has decreed by a Resolution passed on the $\frac{7}{19}$th October, 1863 (**No. 354**), that the sum of £10,000 sterling a year shall be appropriated, in monthly payments, to the augmentation of the Civil List of His Majesty the King of the Hellenes, so as to constitute the first charge upon the revenue of the Ionian Islands, unless provision be made for such payment, according to the constitutional forms, out of the revenues of the Kingdom of Greece.†

In consequence, His Majesty the King of the Hellenes engages to carry that Decree duly into execution.

*Relinquishment by Protecting Powers of portion of the Annual Sums to be paid to them by Greece.*

ART. VI. Her Majesty the Queen of the United Kingdom of

* Ratified by the Sovereign of Great Britain on the 26th August, 1817.

† See Note, page 1445.

Great Britain and Ireland, His Majesty the Emperor of the French, and His Majesty the Emperor of All the Russias, agree to relinquish in favour of His Majesty King George I, each £4,000 sterling a year, out of the sums which the Greek Treasury has engaged to pay annually to each of them, in virtue of the arrangement concluded at Athens by the Greek Government, with the concurrence of the Greek Chambers, in the month of June, 1860 (**No. 318**).

*Amounts relinquished to form Personal Dotation of King of Greece.*

It is expressly understood that these 3 sums, forming a total of £12,000 sterling annually, shall be destined to constitute a Personal Dotation of His Majesty King George I, in addition to the Civil List fixed by the law of the State. The Accession of His Majesty to the Hellenic Throne shall not otherwise involve any change in the financial engagements which Greece has contracted by Article XII of the Convention of 7th May, 1832 (**No. 159**), towards the Powers Guarantees of the Loan, nor in the execution of the engagement taken by the Hellenic Government in the month of June, 1860 (**No. 318**), upon the representation of the 3 Courts.*

*Contracts between Ionian Islands and Foreign Powers to be maintained by King of the Hellenes.*

ART. VII. His Majesty the King of the Hellenes engages to take upon himself all the Engagements and Contracts lawfully concluded by the Government of the United States of the Ionian Islands, or in their name, by the Protecting Power of those Islands, conformably to the Constitution of the Ionian Islands, whether with Foreign Governments, with Companies and Associations, or with Private Individuals; and promises to fulfil the said Engagements and Contracts fully and completely, as if they had been concluded by His Majesty or by the Hellenic Government. Under this head are specially included: the Public Debt of the Ionian Islands; the Privileges conceded to the Ionian Bank, to the Navigation Company known under the name of the Austrian Lloyds, in conformity with the Postal Convention of the 1st December, 1853, and to the Malta and Mediterranean Gas Company.

* An Act of Parliament was passed on the 14th July, 1864 (27 and 28 Vict., cap. 40), to give effect to this Arrangement. See also Note, page 1445.

*Pensions, &c., to British and Ionian Subjects to be Paid by Greece.*

ART. VIII. His Majesty the King of the Hellenes promises to take upon himself,—

1. The Pensions granted to British Subjects by the Ionian Government, in conformity with the rules established in the Ionian Islands respecting Pensions.

2. The Compensation Allowances due to certain individuals actually in the service of the Ionian Government, who will lose their employments in consequence of the Union of the Islands to Greece.

3. The Pensions which several Ionian Subjects are in the enjoyment of, in remuneration of services rendered to the Ionian Government.

*Special Convention to regulate Amounts.*

A Special Convention to be concluded between Her Britannic Majesty and His Majesty the King of the Hellenes shall determine the amounts of these different heads, and shall regulate the mode of their payment.*

*Withdrawal of British Forces from the Ionian Islands.*

ART. IX. The Civil authorities and the Military Forces of Her Britannic Majesty shall be withdrawn from the Territory of the United States of the Ionian Islands in 3 months, or sooner, if possible, after the Ratification of the present Treaty.†

*Ratifications.*‡

ART. X. The present Treaty shall be ratified and the Ratifications shall be exchanged at London in 6 weeks, or sooner, if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 29th of March, in the year of Our Lord, 1864.

(L.S.) RUSSELL. (L.S.) CH. TRICOUPI.
(L.S.) LA TOUR D'AUVERGNE.
(L.S.) BRUNNOW.

* See Convention of same date, next page.
† See Protocol of 28th May, 1864.
‡ Ratifications exchanged at London, 25th April, 1864.

## No. 358.—*CONVENTION between Great Britain and Greece, respecting the Claims of British Subjects and others for Services in the Ionian Islands. Signed at London, 29th March,* 1864.

ART. TABLE.

Preamble.
1. Pensions to be paid by *Greece* to *British* Subjects. Compensation Allowances to be paid by *Greece*. Date of Payment of Pensions and Allowances. Pensions to *Ionian* Subjects to be paid by *Greece*.
2. Yearly List to be made of Persons entitled to Pensions and Compensations.
3. Ratifications.

(English Version.*)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Hellenes, being desirous to make arrangements with regard to the Claims of British subjects and other individuals in respect of Services rendered to the Government of the United States of the Ionian Islands while those States were under the Protection of Her Britannic Majesty, have agreed to conclude a Convention for that purpose, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Earl Russell, her Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the King of the Hellenes, the Sieur Charilaüs S. Tricoupi;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

*Pensions to be paid by Greece to British Subjects.*

ART. I. Whereas Pensions have been granted at various times to British subjects by the Ionian Government, or are at the present moment about to be granted, in pursuance of the established rules in force in the Ionian Islands on the subject of Pensions; and whereas the amount of such Pensions is £7,403 8*s.* 4*d.* sterling

* For French version, see "State Papers," vol. liv, p. 5.

a-year, as by the Schedule A hereto annexed, His Majesty the King of the Hellenes agrees that, after provision shall have been made for the sum of £10,000 sterling a-year, mentioned in Article V of the Treaty signed on this day (**No. 357**) between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of All the Russias on the one part, and His Majesty the King of the Hellenes on the other part, the said amount shall form the next charge upon the Customs revenue of Corfu and of the other Ionian Islands, and shall be paid by half-yearly instalments to Her Britannic Majesty's Consul at Corfu, for the purpose of being paid in detail to the several persons entitled to the said Pensions.

*Compensation Allowances to be paid by Greece.*

And whereas it has become necessary to grant Compensation Allowances to certain other persons now in the service of the Ionian Government, who will lose their respective employments in consequence of the Union of the Ionian Islands with Greece; and whereas such Allowances amount to £3,272 12*s.* sterling a-year, as by the Schedule B hereto annexed; His Majesty the King of the Hellenes agrees that the said amount shall form a charge upon the revenues of the Kingdom of Greece, and shall be paid by half-yearly instalments to Her Britannic Majesty's Minister at Athens, for the purpose of being paid in detail to the several persons entitled to the said Compensation Allowances.

*Date of Payment of Pensions and Allowances.*

These several Pensions and Allowances shall become chargeable to and payable by the Government of Greece from and after the cessation of British authority in the Ionian Islands; and accordingly the first payments shall be made to Her Britannic Majesty's Consul at Corfu and to Her Britannic Majesty's Minister at Athens 10 days before the 31st March, 30th June, 30th September, or 31st December, which may next follow the day of the cessation of British authority in the Ionian Islands; and afterwards the payments shall be made 10 days before the expiration of every subsequent half-year.

*Pensions to Ionian Subjects to be paid by Greece.*

And whereas certain Ionian subjects are in the enjoyment of Pensions granted to them for services under the Ionian Government, His Majesty the King of the Hellenes undertakes that

their rights to such Pensions shall be respected, and that they shall duly continue to receive the same. The British Minister at Athens, after receiving a list of such Pensions from the Lord High Commissioner of Her Britannic Majesty, shall deliver the same to the Minister for Foreign Affairs of Greece, and no Ionian subject shall have a claim upon His Hellenic Majesty on account of being at present in the enjoyment of any Pension, unless the same be included in such list.

SCHEDULE A.

Persons entitled to Pensions from the revenues of the Ionian Islands:

| Name. | Amount. £ | s. | d. |
|---|---|---|---|
| Baker, Henry | 554 | 3 | 2 |
| Barr, E. F. | 500 | 0 | 0 |
| Blair, William | 710 | 0 | 0 |
| Boyd, A. F. | 416 | 13 | 4 |
| Cologan, J. B. | 135 | 0 | 0 |
| Colthurst, Captain | 97 | 10 | 0 |
| Falcona, James | 115 | 6 | 8 |
| Fraser, Sir J. | 510 | 0 | 0 |
| Gisborne, T. J. | 382 | 10 | 0 |
| Hatton, Charles | 80 | 13 | 9 |
| Hunter, James | 66 | 13 | 4 |
| Hunter, John. | 200 | 0 | 0 |
| Kirkpatrick, John | 732 | 10 | 0 |
| Lawrence, Captain | 150 | 0 | 0 |
| Marchis, Giovanni | 39 | 10 | 0 |
| Peas, Thomas. | 30 | 0 | 0 |
| Raqueneau, Captain | 351 | 12 | 3 |
| Reid, Captain | 191 | 12 | 6 |
| Reid, Sir James | 710 | 0 | 0 |
| Reynolds, W. L. | 238 | 6 | 8 |
| Stenhouse, Robert | 190 | 13 | 4 |
| Stevens, G. A. | 29 | 5 | 0 |
| Stevens, George | 135 | 0 | 0 |
| Stevens, Richard | 158 | 13 | 4 |
| Thompson, Lieutenant | 16 | 5 | 0 |
| Wilson, J. | 24 | 0 | 0 |
| Woodhouse, James | 637 | 10 | 0 |
| | £7,403 | 8 | 4 |

SCHEDULE B.

Persons whose Allowances for loss of office are to be payable by the Greek Government to Her Britannic Majesty's Minister at Athens:

| Name. | Amount. £ | s. | d. |
|---|---|---|---|
| Baker, Dr. B. .. .. .. | 199 | 6 | 8 |
| Coccatto, Stelio .. .. .. | 25 | 0 | 0 |
| Colquhoun, Sir P. .. .. .. | 576 | 13 | 4 |
| Debiasi, Venerando .. .. .. | 12 | 2 | 8 |
| Debiasi, Vincenzo .. .. .. | 13 | 13 | 0 |
| Dendin, Stamato .. .. .. | 9 | 2 | 0 |
| Deverell, William .. .. .. | 66 | 13 | 4 |
| D'Everton, Baron (Charles Sebright) | 283 | 6 | 8 |
| Forrest, Captain .. .. .. | 60 | 0 | 0 |
| Giuffré, Dom .. .. .. .. | 23 | 8 | 0 |
| Greenwood, James .. .. .. | 16 | 13 | 4 |
| Lane, Cecil .. .. .. .. | 166 | 13 | 4 |
| Lazzaro, Spiro .. .. .. | 11 | 14 | 0 |
| Minari, Vassili .. .. .. | 12 | 2 | 8 |
| Murray, Captain .. .. .. | 150 | 0 | 0 |
| Montanini, Captain .. .. .. | 37 | 10 | 0 |
| Ongaro, Alberto .. .. .. | 18 | 15 | 0 |
| Paoli, Ruggieri de .. .. .. | 12 | 2 | 8 |
| Permis, Ferdinando .. .. .. | 13 | 13 | 0 |
| Quinland, James .. .. .. | 60 | 0 | 0 |
| Sargent, Sir Charles.. .. .. | 576 | 13 | 4 |
| Sella, Salvatore .. .. .. | 12 | 2 | 8 |
| Stegni, Giuseppe .. .. .. | 13 | 13 | 0 |
| Torrini, Matthew .. .. .. | 75 | 0 | 0 |
| Wodehouse, Colonel Honourable B. | 250 | 0 | 0 |
| Wolff, Sir H. D. .. .. .. | 576 | 13 | 4 |
| | £3,272 | 12 | 0 |

Besides the foregoing annual allowances, there shall be paid to the persons mentioned below, as compensation for the abolition of their offices, the amount of their salaries for one year, that is to say:

| | £ |
|---|---|
| Alexander, Otho .. .. .. .. | 52 |
| Bulwer, Henry.. .. .. .. .. | 300 |
| Thomas, — .. .. .. .. .. | 78 |
| | 430 |

*Yearly List to be made of Persons entitled to Pensions and Compensations.*

ART. II. In the month of January of every year the Minister of Her Britannic Majesty at Athens shall deliver to the Minister for Foreign Affairs of His Majesty the King of the Hellenes, a List of the persons entitled to Pensions and Compensations in virtue of the preceding Article. In preparing such List there shall be withdrawn from the List of the preceding year the names of such persons as shall have died, and also the names of such persons as shall have accepted offices from the Crown of Great Britain to the full amount of the Pension or Compensation to which they are entitled; and deduction shall moreover be made from the amount of Pension or Compensation to be paid to other persons left on the List, of the amount of salary due to them in respect of any offices to which they may have been appointed, which yield an income less than the full amount of the allowances due to them.

*Ratifications.**

ART. III. The present Convention shall be ratified, and the Ratifications shall be exchanged at London at the same time as the Ratifications of the Treaty of this day.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 29th day of March, in the year of Our Lord, 1864.

(L.S.) RUSSELL.
(L.S.) CH. TRICOUPI.

* Ratifications exchanged at London, 25th April, 1864.

**No. 359.**—*PROTOCOLS OF CONFERENCES between Great Britain, Austria, France, Prussia, and Russia, relative to the Union of the Ionian Islands to Greece, and the Succession to the Greek Throne. London, January to March*, 1864.*

TABLE.


| Protocol. | | "State Papers," vol. liv. Page |
|---|---|---|
| No. 1. | Union of *Ionian Islands* to *Greece*. Limitation of Naval and Military Forces not insisted on. Neutrality to apply only to Islands of *Corfu* and *Paxo*, and their Dependencies ..... London, 25th January, 1864 | 34 |
| No. 2. | Renewal of Treaties with Foreign Powers, relating to *Ionian Islands*..... London, 25th January, 1864 | 35 |
| No. 3. | Succession to Throne of *Greece* ..... 29th March, 1864 | 37 |


* See also Protocols of 1863 and 1864. Table of Contents.

**No. 360.**—*PROTOCOL between Turkey and Montenegro, for the Regulation of Private Interests on the Frontier of Montenegro. Cettigné, 3rd May*, 1864.*

ART. TABLE.

Preamble.
1. Labours of *Turco-Montenegrin* Commission.
2. Italian Language to be used.
3. Exchange of Private Properties.
4. Sale of Properties.
5. Actual Possession of Property. Sale of Properties not exchanged. Reimbursement of purchased Properties.
6. Payments on Sale of Properties.
7. Protocols of Exchange or Sale to be signed by the Commissioners.
8. Proprietors to Sign Acts of Renunciation.
9. Acts of Renunciation to be signed in the Native Language.
10. Mountain Pasturages, &c., to be mutually abandoned.
11. Exceptions.
12. Churches on the Frontier.
13. Immediate Possession of Properties by new Proprietors.
14. Proprietors not attending Commission to be represented by Attorney.
15. Acts of Renunciation to be given by Attorney.
16. New Landmarks to be Erected.
17. Commission to explain Provisions of Protocol to Inhabitants.

(Translation.)

LIEUTENANT-COLONEL Hafiz Bey, Ottoman Commissioner, and the Voivode and Senator Giuro Matanovieh, Commissioner for Montenegro, assembled in a Preparatory Conference, have, by common consent, agreed upon the following dispositions, as the basis of their operations, relative to the Regulation of Private Interests on the Frontier described by the Mixed Commission in 1859.

*Labours of Turco-Montenegrin Commission.*

ART. I. The Turco-Montenegrin Commission shall immediately commence its labours, taking Presika as the point of departure.

*Italian Language to be used.*

ART. II. The *Procès-verbaux* of the said Commission shall be written in the Italian language.

* See also Protocols of 28th November, 1858, and 17th April, 1860; Turkish Conditions of 31st August, 1862; and Procès-Verbal of 26th October, 1866.

*Exchange of Private Properties.*

ART. III. Private Properties within and without the Frontier shall be exchanged between the Proprietors, according to the decision of the Commission, which shall only decide after an estimate has been made by Turkish and Montenegrin Experts of equal number; the Commission shall settle the difference by its decision.

*Sale of Properties.*

ART. IV. The Properties not exchanged shall be sold.

*Actual Possession of Property.*

ART. V. Every Property, of whatever nature it may be, possessed by a person at the time of the labours of the Mixed Commission in 1858 and 1859 (**No. 288**),* shall be recognised by the actual Turco-Montenegrin Commission as the legitimate Property of the said person.

*Sale of Properties not exchanged.*

The said Properties shall naturally be ceded by means of Exchange. When the Exchange shall not be possible, they shall be sold, and the buyer shall pay the price of the Property, according to the estimate in the manner specified in Article VI.

*Reimbursement of Purchased Properties.*

As to the Properties which shall have changed masters by means of purchase after that period, those Properties shall be restored in exchange for the price of purchase, which shall be reimbursed to the last Proprietor.

*Payments on Sale of Properties.*

ART. VI. To facilitate these transactions, Turkey and Montenegro take upon themselves the Indemnity to be paid to the Proprietors, each in so far as concerns his Natives. At the end of the operations, the Authorities shall remain indebted one towards the other in the sums paid.

*Protocols of Exchange or Sale to be signed by the Commissioners.*

ART. VII. For each Exchange or Sale, a Protocol shall be signed in Duplicate by the two Commissioners, and after the signature, the exchange of that Act shall be made between them.

* Major Francis Edward Cox, R.E., was the British Member of the Montenegrin Boundary Commission from March to July, 1859.

*Proprietors to sign Acts of Renunciation.*

ART. VIII. To avoid all disagreement in future, the Turkish and Montenegrin Proprietors shall sign an Act of Renunciation to their Rights of Possession, and after the counter-signature of the Commissioners, those Acts shall be reciprocally exchanged.

*Acts of Renunciation to be signed in the Native Language.*

ART. IX. The Act of Renunciation shall be written in the Native Language of the Proprietor, the counter-signature of the Commissioners shall be in the Italian Language, and in the said Act mention shall be made of the manner in which the Proprietor abandons his Rights of Possession.

*Mountain Pasturages, &c., to be mutually abandoned.*

ART. X. Mountain Pasturages, Forests, Waters, being Communal Properties, shall be reciprocally abandoned without sale or exchange.

*Exceptions.*

ART. XI. Exception shall be made to the preceding Article for Pasturages, Forests, Waters, recorded in the observations of the Specification Sheet of the Mixed Commission of 1859, and which have been considered necessary by the Commissioners for the common use of the Turkish and Montenegrin Inhabitants.

*Churches on the Frontier.*

ART. XII. Certain Churches on the Frontier, recorded in the Specification Sheet of the Mixed Commission of 1859, shall be used in common on both sides.

*Immediate Possession of Properties by new Proprietors.*

ART. XIII. Properties exchanged or sold shall be immediately taken possession of by their new Proprietors. The Harvest of this year shall be reaped by those who have sown it.

*Proprietors not attending Commission to be represented by Attorney.*

ART. XIV. Proprietors who shall not be able to attend before the Commissioners shall be represented by some person entrusted with his Power of Attorney. Such delegation of power shall be attested by two witnesses.

*Act of Renunciation to be given by Attorney.*

ART. XVI. The Attorney shall give the Act of Renunciation to the Rights of Possession, and that Act, signed also by witnesses, shall be as valid as if it bore the signature of the Proprietor himself.

*New Landmarks to be erected.*

ART. XVII. All the Landmarks on the Frontier shall be newly erected in masonry in the form of a pyramid. The Turkish and Montenegrin Inhabitants shall supply the necessary conveyance of lime, sand, water, stones, &c. If found necessary, intermediate Landmarks will be erected, and ditches shall be dug in the fields, in order the better to define the line of demarcation, and avoid in future all misunderstanding, complaint, or trouble. The Landmarks shall, on the side of Turkey, be numbered in Turkish, and on the side of Montenegro, the number shall be in French.

*Commission to explain Provisions of Protocol to Inhabitants.*

ART. XVIII. The Commission will explain its decision to the Inhabitants on both sides of the Frontier, will make them understand their importance, in order that they may have no excuse in future, and recall them to the respect due to the Acts of the Commission, and to the expediency of the preservation of the Landmarks which they have erected.

Done in duplicate at Cettigné, 3rd May, 1864.

For and by Order of His Highness the Prince of Montenegro, the Voivode and Senator,

GIURO MATANOVICH.

The Ottoman Commissioner, Lieutenant-Colonel of Artillery, deputed by the Sublime Porte,

HAFIZ.

**No. 361.**—*PROTOCOL between the Lord High Commissioner of Great Britain and the Commissioner Extraordinary of Greece, for the Withdrawal of the British Military Forces from the Ionian Islands. Corfu, 28th May,* 1864.

ART. TABLE.

Preamble. Reference to Treaty of 29th March, 1864.
1. Withdrawal of Military Forces, &c., of *Great Britain* from the *Ionian Islands.*
2. Form and manner of Withdrawal.
3. Delivery of Fortifications, Archives, &c.
4. Performance of Forms and Ceremonies to be considered as Final Discharge. Performance of Stipulations to be reported to respective Governments.

PROCLAMATION of Lord High Commissioner. Cessation of the *British* Protectorate over the *Ionian Islands.*

*Reference to Treaty of 29th March,* 1864.

"WHEREAS a Treaty was signed in London on the $\frac{1}{2}\frac{7}{9}$th March, 1864 (**No. 357**), between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of All the Russias, on the one part, and His Majesty the King of the Hellenes on the other part, respecting the Union of the Ionian Islands to the Kingdom of Greece; and whereas his Excellency the Lord High Commissioner of Her Britannic Majesty has received instructions to carry out the stipulations contained in Article IX of the said Treaty; and whereas M. Thrasybulus Zaïmis, Extraordinary Commissioner of the Government of His Majesty the King of the Hellenes, has been empowered by his Government to concert measures with his Excellency the Lord High Commissioner as to the manner and form in which such Stipulations shall be carried out, it is hereby stipulated by them as follows:

*Withdrawal of Military Forces, &c., of Great Britain, from the Ionian Islands.*

"ART. I. At 12 o'clock on the morning of the $\frac{\text{21st May}}{\text{2nd June}}$ next, the Civil Authorities and Military Forces of Her Britannic Majesty shall be withdrawn from the Territories of the United States of the Ionian Islands.

*Form and Manner of Withdrawal.*

"ART. II. The form and manner of the said Withdrawal shall be as follows:

"On the $\frac{\text{21st May}}{\text{2nd June}}$ next, the Troops of Her Britannic Majesty having been embarked, except the guards, at half-past 11 o'clock his Excellency the Lord High Commissioner will receive at the Palace of St. Michael and St. George the Commissioner Extraordinary of the Government of His Majesty the King of the Hellenes, and will then take leave of such persons as may present themselves.

"The Lord High Commissioner, accompanied by M. Zaïmis, will then proceed to the Ditch of the Citadel, where a guard of honour composed of a company of infantry of Her Majesty the Queen and another guard of honour composed of a company of infantry of His Hellenic Majesty, will be in waiting to receive the Lord High Commissioner. His Excellency the Lord High Commissioner will then take leave of the Commissioner Extraordinary, and will embark in his barge, and proceed to Her Britannic Majesty's ship *Marlborough*, carrying the Flag of Vice-Admiral Smart, K.H., Commander-in-Chief of Her Majesty's Naval Forces in the Mediterranean, the usual Salutes being fired by the naval and military forces of Her Britannic Majesty.

"After the embarkation of the Lord High Commissioner, the guards of Her Britannic Majesty's troops in the Fortresses will be relieved by guards from the troops of His Hellenic Majesty, and the Flag of Her Britannic Majesty will be lowered on the Citadel, Fort Neuf, and Vido, and marched off under an escort of honour.

"Such Greek guards shall be disembarked at the same time as the guard of honour, and shall march to the Citadel, to Fort Neuf, and Vido, so as to arrive at those posts simultaneously with the departure of the British guards.

"On the lowering of the British Flag, a Greek Flag will be hoisted on the Citadel. At the same time a British ensign will be hoisted at the main on board Her Britannic Majesty's ship *Marlborough*, and will be Saluted from the Citadel by a detachment of artillery of His Hellenic Majesty with a Salute of 21 guns. This detachment will be disembarked at the same time as the guard of honour.

"The Greek Flag will then be hoisted at the main on board

Her Britannic Majesty's ship *Marlborough* and Saluted with 21 guns from that vessel.

"In the Islands of Cephalonia, Zante, Santa Maura, Ithaca, Cerigo, and Paxo, the Civil and Military Authorities will conform as closely to the above ceremonial as circumstances will permit. The British and Greek Flags will be Saluted respectively on being lowered and hoisted in all the Islands, where the means of Saluting are at hand.

*Delivery of Fortifications, Archives, &c.*

"ART. III. Whereas it is necessary that certain lists and inventories be drawn up relative to the delivery, on the part of his Excellency the Lord High Commissioner to the Commissioner Extraordinary of the Hellenic Government, of the Fortifications, Archives, and other objects of which mention is made hereafter in the present Protocol, they have respectively named for this purpose Sir Peter Braila, K.C.M.G., and M. George Zinopoulos, Director of the Cabinet of the Commissioner Extraordinary, to give and receive the Archives of the Most Illustrious the Senate, including the originals of the Ionian Constitution, and also the Archives of the Legislative Assembly;

"Mr. Barr, C.M.G., Assistant Secretary to his Excellency the Lord High Commissioner, and M. John Peroglous, Secretary of the first class in the Greek Foreign Office, to give and receive the inventory of the furniture left in the Palace of St. Michael and St. George;

"M. Rodostamos, Aide-de-Camp to His Highness the President of the Senate, and M. Andrew Psyllas, Attaché to the Greek Foreign Office, to give and receive the inventories of the Palace of His Highness, and Assistant Commissary-General De Fonblanque, and Major Meason, Barrack Master, and Messrs. Michael Georgantas, Commissary-General, and Nicolas Manos, Major of the Staff, to draw up the inventories and reports of the delivery of the Fortresses and Barracks of Corfu.

"And whereas it is necessary that similar measures be adopted for the other Islands, the Local Directors of the respective Islands, on the part of his Excellency the Lord High Commissioner, and the Regents, on the part of the Commissioner Extraordinary of the Hellenic Government, have been selected to draw up and sign the necessary documents.

"Such inventories shall be made in duplicate, and exchanged by the said officers within two days after the withdrawal of the Civil Authorities and Military Forces of Her Britannic Majesty.

*Performance of Forms and Ceremonies to be considered as Final Discharge.*

"ART. IV. The performance of the Forms and Ceremonies, as stated in Article II, shall be considered as a conclusive and Final Discharge of the Stipulations contained in Article IX of the Treaty aforesaid on the part of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, without any further Protocol, Agreement, or Instrument whatever.

*Performance of Stipulations to be reported to respective Governments.*

"His Excellency the Lord High Commissioner and the Commissioner Extraordinary shall, however, report to their respective Governments the due performance of the Stipulations herein laid down.

"His Excellency the Lord High Commissioner and the Commissioner Extraordinary have signed the present Agreement in duplicate in English and Greek, and have affixed thereto the Seals of their Arms.

"Done at the Palace of St. Michael and St. George, Corfu, on the $\frac{16}{28}$th day of May, in the year of Our Lord, 1864.

(L.S.) "H. K. STORKS.
(L.S.) "S. ZAIMIS."

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After the Protocol had been read and signed, his Excellency made public the following Proclamation:

PROCLAMATION *of the Lord High Commissioner. Cessation of the British Protectorate over the Ionian Islands.*

"On the part of his Excellency Sir Henry Knight Storks, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Most Honourable Order of the Bath, a Major-General in Her Majesty's Army, and Her Majesty's Lord High Commissioner in and for the United States of the Ionian Islands, &c.

"Whereas by a Treaty signed in London on the 29th day of March, 1864 (**No. 357**), between Her Majesty the Queen of

the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of the French, His Majesty the Emperor of All the Russias, and His Majesty the King of the Hellenes, it was declared that Her Britannic Majesty has consented, under the conditions then mentioned, to relinquish the Protectorate of the United States of the Ionian Islands, and that Greece should, within the limits then referred, including the Ionian Islands, form an Independent and Constitutional Monarchical State.

"And it was also declared that the Civil Authorities and Military Forces of Her Britannic Majesty should be withdrawn from the Territory of the United States within 3 months, or sooner if possible, after the Ratification of the said Treaty.

"And whereas the Civil Authorities and Military Forces now remaining in the said Territory will, on the 2nd day of June next, be withdrawn therefrom.

"Now, therefore, in the name and on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Lord High Commissioner doth hereby Proclaim and Declare that on the 2nd day of June, in the year of Our Lord, 1864, the Protectorate of Her said Britannic Majesty over these Islands will finally be relinquished, cease, and determine,* and that the said Islands will become and be absolutely part of the Independent and Constitutional Monarchy of Greece under the Sovereignty of His Majesty King George I.

"Given at the Palace of St. Michael and St. George, Corfu, this 28th day of May, in the year of Our Lord, 1864.

"By his Excellency's command,

"H. DRUMMOND WOLFF,

"*Secretary to the Lord High Commissioner.*"

* The Ionian Islands were evacuated by the British Forces on the 2nd June, 1864.

## No. 362.—*PROTOCOLS OF CONFERENCES between Great Britain, Austria, Denmark, France, Germanic Confederation, Prussia, Russia, and Sweden and Norway, relative to the re-establishment of Peace between Austria, Prussia, and Denmark. London, April to June*, 1864.


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| No. 2. | Proposed Suspension of Hostilities by Sea and Land deferred. Conditions of proposed Armistice. Raising of Blockade. Evacuation of *Schleswig* by *Denmark*. Evacuation of *Jutland* by *Austria* and *Prussia*. London, 4th May, 1864 | 177 |
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| | Annex.—List of Treaties between Great Britain and more than one Power, and of which Ratifications were exchanged, not between all the Powers, but only with one | 278 |
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| | Annex.—Summary of the Deliberations of the Conference of London, from the 25th April to the 22nd June, 1864 | 289 |
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## No. 363.—*ADDITIONAL ACT to the Convention of 19th August, 1858, concluded between the Porte and Prince Couza, respecting the United Principality of Moldavia and Wallachia. Constantinople, 20th June, 1864.*

ART. TABLE.

Preamble. Reference to Convention of 19th August, 1858.
1. Public Powers.
2. Legislative Power.
3. Promulgation of Laws.
4. Election of Deputies. President of Elective Assembly named by Prince; Vice-Presidents, &c., by the Assembly.
5. Projects of Law voted by Assembly.
6. Budget to be voted by Assembly, and approved by Senate.
7. Composition of Senate.
8. Renewal of Members of Senate. Re-election of outgoing Members.
9. Duration of Sessions of Senate.
10. Payment of Members of the Senate.
11. President and Vice-Presidents of Assembly. Sittings of Senate to be public. Right of Ministers to sit in Senate.
12. Constitutional Provisions to be under safeguard of Senate. Mixed Commission to report to Prince on Labours of the Session.
13. Projects of Law and parts of Budget to be voted by the Senate.
14. Voting of Projects of Law.
15. Right of Senate to receive Petitions.
16. Internal Regulations of Assembly and Senate.
17. Oath of Fidelity by Public Functionaries.
18. Act and Electoral Law to become Law on sanction by Suzerain Court.
19. Prince to form Council of State. Duties of Council of State.
20. Confirmation of Convention of 19th August, 1858, except in so far as is not modified by this Act.

Principles intended to serve as a Basis for the Construction of a New Electoral Law.

(Translation as laid before Parliament.*)

*Reference to Convention of 19th August, 1858.*

THE Convention concluded in Paris on the 19th August, 1858 (**No. 286**), between the Suzerain Court and the Guaranteeing Powers is and remains the Fundamental Law of the United Principalities.

Although the United Principalities may in future modify or change the Laws which govern their internal administration,

* For French version see "State Papers," vol. lvii, p. 529.

together with the legal concourse of all the Powers already established, and without any intervention whatsoever, it is nevertheless to be well understood that this faculty cannot extend to the ties which unite the Principalities to the Ottoman Empire, nor to the Treaties in force between the Sublime Porte and the other Powers, which are and remain equally binding for the said Principalities.

The events, however, which have succeeded one another since the conclusion of the Convention of Paris having made it necessary for some of the provisions of that Convention to be modified, the Sublime Porte has just come to an understanding with His Highness the Prince of the United Principalities, and to an Agreement with their Excellencies the Representatives of the Powers who signed the Treaty of Paris, upon the present Additional Act to the said Convention, resolved and agreed upon as follows:

*Public Powers.*

ART. I. The Public Powers are confided to the Prince, the Senate, and an Elective Assembly.

*Legislative Power.*

ART. II. The Legislative Power shall be exercised collectively by the Prince, the Senate, and the Elective Assembly.

*Promulgation of Laws.*

ART. III. The Prince can originate Laws. He prepares them with the aid of the Council of State, and submits them both to the Elective Assembly and to the Senate to be discussed and voted for.

No Law can be submitted to the Prince's approval unless it has previously been discussed and voted both by the Elective Assembly and by the Senate. The Prince grants or refuses his sanction to it. Each Law requires the sanction of the 3 Powers.

Should the Government be obliged to take urgent measures requiring the aid of both the Elective Assembly and of the Senate at the time when those Assemblies are not sitting, the Ministry shall be bound to submit to them at their next Convocation the motives and the results of such measures.

*Election of Deputies.*

ART. IV. The Deputies to the Elective Assembly are elected

according to the principles proclaimed in the annexed document, and which must form the basis of the new Electoral Law.

*President of Elective Assembly named by the Prince. Vice-Presidents, &c., by the Assembly.*

The President of the Elective Assembly is named each year by the Prince. He is chosen from among the Members of the Assembly. The Vice-Presidents, the Secretaries, and the Treasurers are named by the Assembly.

*Projects of Law voted by Assembly.*

ART. V. The Elective Assembly Discusses upon and Votes for the Projects of Law. The Drafts presented by the Prince are defended in the Assembly by the Ministers, or by the Members of the Council of State, who will be named by the Prince for that purpose.

*Budget to be voted by Assembly, and approved by Senate.*

ART. VI. The Budget of the Receipts and of the Expenditure, which is yearly prepared by the Executive Power and submitted to the Assembly, who may amend it, shall only become definitive after being voted for by that Assembly and after such vote has been approved by the Senate. Should the Budget not be voted for in time, the Executive Power shall provide for the public service in the manner voted for in the last Budget.

*Composition of Senate.*

ART. VII. The Senate shall be composed of the Archbishops of the country, of the Bishops of the diocese, of the First President of the Court of Appeal, of the Senior General on the active list, and of 64 Members besides, 32 of whom shall be chosen and named by the Prince from among those who have exercised the highest functions in the country, or who can prove to be possessed of an annual income of 800 ducats. As to the other 32 Members, they shall be elected from among the Members of the General Councils of each district, and shall be selected by the Prince on the presentation to him of 3 candidates.

The Members of the Senate enjoy the inviolability guaranteed to the Deputies.

*Renewal of Members of Senate.*

ART. VIII. The 64 Members of the Senate selected in conformity with the provisions of the preceding Article, shall be half renewed every 3 years.

*Re-election of Outgoing Members.*

The Outgoing Members may be Re-elected; their functions will only cease upon the installation of the new Members.

*Duration of Sessions of Senate.*

ART. IX. The duration of the Sessions of the Senate, their Prolongation, and the Convocation of that body, are subject to the rules prescribed in Article XVII of the Convention of 1858 (**No. 286**), on the subject of the Elective Assembly.

*Payment of Members of the Senate.*

ART. X. The Members of the Senate shall be paid throughout the length of the Session.

*President and Vice-Presidents of Assembly.*

ART. XI. The Archbishop Primate is by right President of the Senate. One of the Vice-Presidents, chosen from among the Senators, is named by the Prince; the other and the Committee are elected by the Assembly.

In the event of an equal division, the President has a casting vote.

*Sittings of Senate to be Public.*

The Sittings of the Senate are Public, unless the contrary be requested by one-third of the Members present.

*Right of Ministers to sit in Senate.*

The Ministers, even if they do not form part of the Senate, have a right to assist at, and to take part in the deliberations there; they shall be heard every time they wish to speak.

*Constitutional Provisions to be under safeguard of Senate.*

ART. XII. The Constitutional Provisions of the new organisation of the Principalities are placed under the safeguard of the Senate.

*Mixed Commission to report to the Prince on Labours of the Session.*

At the end of each Session the Senate and the Elective Assembly shall each name a Committee, the Members of which shall be chosen from among them. The two Committees shall join in a Mixed Commission, to report to the Prince on the labours of the previous Session, and to suggest to him such improvements as are deemed necessary in the various branches of the administration.

The suggestions may be recommended by the Prince to the Council of State to be converted into Projects of Law.

*Projects of Law and parts of Budget to be voted by the Senate.*

ART. XIII. Every Project of Law voted by the Elective Assembly, a part of the Budget of the Revenue and of the Expenditure is laid before the Senate to be discussed and voted for by that body.

*Voting of Projects of Law.*

ART. XIV. The Senate approves of the Project of Law such as it has been voted by the Assembly, or amends it, or rejects it altogether.

If the Project of Law is adopted without Amendment by the Senate, it is submitted to the Prince for approval.

If the Project of Law is Amended by the Senate, it is returned to the Elective Assembly.

If the Assembly approves the Amendments made by the Senate, the Project is submitted to the Prince for approval.

If, on the other hand, the Elective Assembly rejects the Amendments made by the Senate, the Project is sent back to the Council of State to be re-considered.

The Government can then lay before the Chambers in the course of the Session, or in the ensuing one, the Project revised by the Council of State.

If the Senate rejects altogether the Project voted by the Elective Assembly, that Project is referred to the Council of State to be re-considered.

Such a Project can be laid before the Elective Assembly in the ensuing Session only.

*Right of Senate to receive Petitions.*

ART. XV. The Senate has the right of receiving Petitions

These Petitions shall be examined by a Commission *ad hoc*. The Senate may, if they think fit, on the report of the Commission, forward them to the Members of the Government.

*Internal Regulations of Assembly and Senate.*

ART. XVI. The Internal Regulations of the Elective Assembly, and of the Senate, are prepared by the Government.

*Oath of Fidelity by Public Functionaries.*

ART. XVII. All the Public Functionaries are, without exception, obliged, on their entering office, to swear submission to the Constitution, to the Laws of the Country, and fidelity to the Prince.

*Act and Electoral Law to become Law on sanction by Suzerain Court.*

ART. XVIII. The Present Act, and the Electoral Law framed in conformity with the principles declared in the above-named Annex, shall become Law on the day when they are sanctioned by the Suzerain Court.

The new Elective Assembly and the Senate shall be constituted and convoked in the terms mentioned by Article XVII of the Convention of 1858.

*Prince to form Council of State.*

ART. XIX. The Prince shall form a Council of State composed of persons most competent by their merit and by their experience.

*Duties of Council of State.*

This Council can of itself wield no power, but its purpose shall be to study and to frame the Drafts of Law which the Prince shall refer to it. The Members shall be admitted to both Assemblies as Delegates of the Prince, to explain and to defend the Project of Law which he lays before them.

*Confirmation of Convention of 19th August, 1858, except in so far as is not modified by this Act.*

ART. XX. All the Provisions of the Convention of Paris which are not modified by the present Act are confirmed afresh, and shall remain in full and entire force.

**[United Principalities of Moldavia and Wallachia.]**

*Principles intended to serve as a Basis for the Construction of a new Electoral Law* *

[On the 14th May, 1864, Prince Couza issued a Decree on the subject of Elections, which was deemed contrary to the engagements established by the Convention of 19th August, 1858 (**No. 286**), and led to a remonstrance on the part of the Porte, and subsequently to a Meeting of a Conference at Constantinople of the Representatives of the Treaty Powers. On the 20th June, 1864, the above Additional Act was signed, modifying the Convention, or "Organic Statute" of 19th August, 1858 (**No. 286**).

Further Conferences were held at Paris between March and June, 1866.]

* Law issued on the 14th July, 1864.

**No. 364.**—*PROTOCOL OF CONFERENCE between Great Britain, Austria, France, Italy, Prussia, Russia, and Turkey, adhering to the Additional Act concluded between the Porte and Prince Couza, of 20th June, 1864, modifying certain Stipulations of the Convention of 19th August, 1858, relative to the United Principalities of Moldavia and Wallachia. Constantinople, 28th June, 1864.**

(Translation as laid before Parliament.†)

His Highness Aali Pasha, Minister for Foreign Affairs, explains to the Representatives of the Powers which signed the Treaty of Paris that the Sublime Porte has come to an understanding with Prince Couza as to certain modifications it would be well to introduce in the Convention of the 19th August, 1858 (**No. 286**).

His Highness, therefore, read to the Conference an Additional Act to the said Convention, and an Annex to that Act, including all the provisions or principles upon which the Government of His Majesty the Sultan has agreed with His Highness Prince Couza.

The Representatives learn with pleasure that this Agreement had been come to, and declared themselves sufficiently authorised by their respective Governments to adhere to this Arrangement, with the exception of the representative of the Emperor of Russia, who stated that he was not sufficiently empowered, and was, therefore, in the necessity of again referring to his Court.

The above-mentioned Additional Act and its Annex remained joined to the present Protocol (**No. 363**).

* See also Firman of 23rd October, 1866.

† For French version, see "State Papers," vol. lvii, p. 529.

**No. 365.**—*CONVENTION between Switzerland, Baden, Belgium, Denmark, Spain, France, Hesse-Darmstadt, Italy, Netherlands, Portugal, Prussia, and Wurtemberg, for the Amelioration of the Condition of the Wounded in Armies in the Field. Signed at Geneva, 22nd August,* 1864.*

ART. TABLE.

Preamble.
1. Ambulances and Military Hospitals to be neutral. Neutrality to cease if held by a Military Force.
2. Persons employed in Hospitals and Ambulances to participate in Neutrality.
3. Neutrality to continue to Persons fulfilling Duties in Hospitals, &c., occupied by the Enemy. Persons ceasing their Functions to be delivered to Outposts of the Enemy.
4. Private Property in Military Hospitals only can be carried away. Ambulance to retain its Equipment.
5. Persons assisting the Wounded to be respected. House containing Wounded Men to be protected. Privileges to Inhabitants entertaining Wounded Men.
6. Care to be taken of Wounded or Sick Men. Delivery of Wounded to Outposts of the Enemy. Wounded, if incapable of serving, to be sent to their Country. Wounded or Sick cured to be sent back on condition of not bearing Arms. Evacuations to enjoy absolute Neutrality.
7. Distinctive Flag for Hospitals, &c. Arm-badge to be worn by Neutralised Individuals. Colour of Flag and Arm-badge.
8. Details of Execution.
9. Governments to be invited to accede to Convention.
10. Ratifications.

(Translation as laid before Parliament.†)

*Convention for the Amelioration of the Condition of Soldiers wounded in Armies in the Field.*

THE Swiss Confederation, His Royal Highness the Grand Duke of Baden, His Majesty the King of the Belgians, His Majesty the King of Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Royal Highness the Grand Duke of Hesse, His Majesty the King of Italy, His Majesty the King of the Netherlands, His Majesty the King of Portugal and the Algarves, His Majesty the King of Prussia, His Majesty the King of Wurtemberg, being equally animated by the desire

* The Accession of Great Britain was signed on the 18th February, 1865. See page 1634. See also Additional Articles, 20th October, 1868.

† For French Version, see "State Papers," vol. lv, p. 43.

to mitigate, as far as depends upon them, the evils inseparable from war, to suppress useless severities, and to ameliorate the condition of soldiers wounded on the field of battle, have resolved to conclude a Convention for that purpose, and have named as their Plenipotentiaries, that is to say:—

The Swiss Confederation, the Sieur William Henry Dufour, General-in-Chief of the Federal Army, member of the Council of the States, &c.; the Sieur Gustavus Moynier, President of the International Committee of Assistance for wounded Soldiers, and of the Genevese Society of Public Utility; and the Sieur Samuel Lehmann, a Federal Colonel, Physician-in-Chief of the Federal Army, a member of the National Council;

His Royal Highness the Grand Duke of Baden, the Sieur Robert Volz, Doctor of Medicine, Medical Councillor in the Direction of Medical Affairs, &c.; and the Sieur Adolphus Steiner, Physician Major, &c.;

His Majesty the King of the Belgians, the Sieur Augustus Visschers, a member of the Council of Mines, &c.;

His Majesty the King of Denmark, the Sieur Charles Emilius Fenger, his Councillor of State, &c.;

Her Majesty the Queen of Spain, the Sieur Don José Heriberto Garcia de Quevedo, Actual Gentleman of her Chamber, her Minister Resident to the Swiss Confederation, &c.;

His Majesty the Emperor of the French, the Sieur George Charles Jagerschmidt, Sub-Director in the Department for Foreign Affairs, &c.; the Sieur Henry Eugène Seguineau de Préval, Military Sub-Intendant of the first class, &c.; and the Sieur Martin Francis Boudier, Principal Physician of the second class, &c.;

His Royal Highness the Grand Duke of Hesse, the Sieur Charles Augustus Brodruck, Commandant of a battalion of the Staff, &c.;

His Majesty the King of Italy, the Sieur John Capello, his Consul-General in Switzerland, &c.; and the Sieur Felix Baroffio, Physician of Division, &c.;

His Majesty the King of the Netherlands, the Sieur Bernard Ortuinus Theodore Henry Westenberg, Doctor of Laws, his Secretary of Legation at Frankfort, &c.;

His Majesty the King of Portugal and the Algarves, the Sieur José Antonio Marques, Doctor of Medicine and Surgery, Surgeon of Brigade, Sub-Chief of the Department of Health in the Ministry of War, &c.;

His Majesty the King of Prussia, the Sieur Charles Albert de Kamptz, his Envoy Extraordinary and Minister Plenipotentiary to the Swiss Confederation, Privy Councillor of Legation, &c.; the Sieur Godfrey Frederick Francis Lœffler, Doctor of Medicine, Physician-General of the fourth Corps d'Armée, &c.; and the Sieur George Hermann Julius Ritter, Privy Councillor in the Ministry of War, &c.;

His Majesty the King of Wurtemberg, the Sieur Christopher Ulric Hahn, Doctor of Philosophy and Theology, Member of the Central and Royal Direction for Establishments of Beneficence, &c.;

Who, after having exchanged their Powers, found in good and due form, have agreed upon the following Articles:

*Ambulances and Military Hospitals to be Neutral.*

ART. I. Ambulances and Military Hospitals shall be acknowledged to be Neuter, and, as such, shall be protected and respected by Belligerents so long as any sick or wounded may be therein.

*Neutrality to cease if held by a Military Force.*

Such Neutrality shall cease if the Ambulances or Hospitals should be held by a Military Force.

*Persons employed in Hospitals and Ambulances to participate in Neutrality.*

ART. II. Persons employed in Hospitals and Ambulances, comprising the staff for superintendence, medical service, administration, transport of wounded, as well as chaplains, shall participate in the benefit of Neutrality whilst so employed, and so long as there remain any wounded to bring in or to succour.

*Neutrality to continue to Persons fulfilling Duties in Hospitals, &c., occupied by the Enemy.*

ART. III. The persons designated in the preceding Article may, even after occupation by the enemy, continue to fulfil their duties in the Hospital or Ambulance which they serve, or may withdraw in order to rejoin the corps to which they belong.

*Persons ceasing their Functions to be delivered to Outposts of the Enemy.*

Under such circumstances, when those Persons shall cease

from their functions, they shall be delivered by the occupying Army to the outposts of the Enemy.

*Private Property in Military Hospitals only can be carried away.*

ART. IV. As the equipment of Military Hospitals remains subject to the laws of war, persons attached to such Hospitals cannot, in withdrawing, carry away any articles but such as are their private property.

*Ambulance to retain its Equipment.*

Under the same circumstances an Ambulance shall, on the contrary, retain its equipment.

*Persons assisting the Wounded to be respected.*

ART. V. Inhabitants of the country who may bring help to the Wounded shall be respected, and shall remain free. The Generals of the belligerent Powers shall make it their care to inform the Inhabitants of the appeal addressed to their humanity, and of the Neutrality which will be the consequence of it.

*House containing Wounded Men to be protected. Privileges to Inhabitants entertaining Wounded Men.*

Any Wounded man entertained and taken care of in a House shall be considered as a protection thereto. Any Inhabitant who shall have entertained Wounded Men in his House shall be exempted from the Quartering of Troops, as well as from a part of the Contributions of War which may be imposed.

*Care to be taken of Wounded or Sick Men.*

ART. VI. Wounded or Sick Soldiers shall be entertained and taken care of, to whatever Nation they may belong.

*Delivery of Wounded to Outposts of the Enemy.*

Commanders-in-Chief shall have the power to deliver immediately to the outposts of the Enemy, Soldiers who have been Wounded in an engagement, when circumstances permit this to be done, and with the consent of both parties.

*Wounded, if incapable of serving, to be sent to their Country.*

Those who are recognised, after their wounds are healed, as incapable of serving, shall be sent back to their country.

*Wounded or Sick cured to be sent back on condition of not Bearing Arms.*

The others may also be sent back, on condition of not again bearing Arms during the continuance of the War.

*Evacuations to enjoy absolute Neutrality.*

Evacuations, together with the persons under whose directions they take place, shall be protected by an absolute Neutrality.

*Distinctive Flag for Hospitals, &c. Arm-badge to be worn by Neutralised Individuals.*

ART. VII. A Distinctive and Uniform Flag shall be adopted for Hospitals, Ambulances, and Evacuations. It must, on every occasion, be accompanied by the National Flag. An Arm-badge (*brassard*) shall also be allowed for Individuals Neutralised, but the delivery thereof shall be left to military authority.

*Colour of Flag and Arm-badge.*

The Flag and the Arm-badge shall bear a Red Cross on a White ground.

*Details of Execution.*

ART. VIII. The Details of Execution of the present Convention shall be regulated by the Commanders-in-Chief of belligerent Armies, according to the instructions of their respective Governments, and in conformity with the general principles laid down in this Convention.

*Governments to be invited to accede to Convention.**

ART. IX. The High Contracting Powers have agreed to communicate the present Convention to those Governments which have not found it convenient to send Plenipotentiaries to the International Conference at Geneva, with an invitation to accede thereto; the Protocol is for that purpose left open.

*Ratifications.*

ART. X. The present Convention shall be ratified, and the Ratifications shall be exchanged at Berne in 4 months, or sooner if possible.

* See next page.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Geneva, the 22nd August, 1864.

| | | |
|---|---|---|
| (L.S.) | General G. H. DUFOUR. | Switzerland. |
| (L.S.) | G. MOYNIER. | |
| (L.S.) | Dr. LEHMANN. | |
| (L.S.) | Dr. ROBERT VOLZ. | Baden. |
| (L.S.) | STEINER. | |
| (L.S.) | VISSCHERS. | Belgium. |
| (L.S.) | FENGER. | Denmark. |
| (L.S.) | J. HERIBERTO GARCIA DE QUEVEDO. | Spain. |
| (L.S.) | CH. JAGERSCHMIDT. | France. |
| (L.S.) | S. DE PREVAL. | |
| (L.S.) | BOUDIER. | |
| (L.S.) | BRODRUCK. | Hesse-Darmstadt. |
| (L.S.) | CAPELLO. | Italy. |
| (L.S.) | F. BAROFFIO. | |
| (L.S.) | WESTENBERG. | Netherlands. |
| (L.S.) | JOSE ANTONIO MARQUES. | Portugal. |
| (L.S.) | DE KAMPTZ. | Prussia. |
| (L.S.) | LŒFFLER. | |
| (L.S.) | RITTER. | |
| (L.S.) | Dr. HAHN. | Wurtemberg. |

*Accessions.*

| | |
|---|---|
| Austria | 21st July, 1866. |
| Bavaria | 30th June, 1866. |
| Great Britain | 18th Feb., 1865. |
| Greece | 17th Jan., 1865. |
| Mecklenburg-Schwerin. | 9th Mar., 1865. |
| The Pope | 9th May, 1868. |
| Persia | 5th Dec., 1874. |
| Russia | 22nd May, 1867. |
| Saxony | 25th Oct., 1866. |
| Sweden and Norway | 13th Dec., 1864. |
| Turkey | 5th July, 1865. |

## No. 366.—*CONVENTION between France and Italy, relative to the Evacuation of the Pontifical States by French Troops. Signed at Paris, 15th September, 1864.*

ART. TABLE.

Preamble.
1. Protection by *Italy* of actual *Pontifical* Territory.
2. *French* Evacuation of *Pontifical* Territory.
3. Organization of *Pontifical* Army.
4. Debt of the Ancient States of the Church.
5. Ratifications.

*Protocol.*

Time at which the Removal of the Capital of Italy shall be effected.

(Translation.*)

THEIR Majesties the Emperor of the French and the King of Italy having resolved to conclude a Convention, have appointed as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, M. Drouyn de Lhuys, his Minister and Secretary of State for the Department of Foreign Affairs, &c.;

And His Majesty the King of Italy, M. le Chevalier Constantin Nigra, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of the French, &c.; and the Marquis Joachim Pepoli, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of All the Russias, &c.;

Who, after having communicated to each other their Full Powers, found in good and due form, have agreed upon the following Articles:

*Protection by Italy of actual Pontifical Territory.*

ART. I. Italy engages not to attack the actual Territory of the Holy Father, and to prevent, even by force, every external attack against the said Territory.

*French Evacuation of Pontifical Territory.*

ART. II. France shall gradually remove her Troops from the

* For French version, see "State Papers," vol. lv, p. 461.

Pontifical States, and in proportion to the Organisation of the Army of the Holy Father. The Evacuation must at least be accomplished within the delay of two years.*

*Organisation of Papal Army.*

ART. III. The Italian Government renounces all claims against the Organisation of a Papal Army, composed even of Foreign Catholic Volunteers, sufficient to maintain the authority of the Holy Father, and the internal tranquillity as well as that on the Frontier of his States, provided that that force does not extend into a power of attack against the Italian Government.

*Debt of the Ancient States of the Church.*

ART. IV. Italy declares herself ready to enter into arrangements in order to take upon herself a proportion of the Debt of the Ancient States of the Church.†

*Ratifications.*‡

ART. V. The present Convention shall be ratified, and the Ratifications thereof shall be exchanged in the delay of 15 days, or sooner if possible.

In faith and testimony whereof the respective Plenipotentiaries have signed the present Convention, and have sealed it with the Seal of their Arms.

Done in duplicate, 15th September, 1864.

(L.S.) DROUYN DE LHUYS.
(L.S.) NIGRA.
(L.S.) (PEPOLI.)

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## PROTOCOL.

*Time at which the Removal of the Capital of Italy shall be effected.*

The Convention signed this day between their Majesties the

* By a Declaration, dated 3rd October, 1864, it was agreed that the Evacuation should commence from the date of a Decree to be issued ordering the Evacuation, which was dated 11th December, 1864. The French Army, however, was not entirely withdrawn from Rome until the 19th August, 1870.

† On the 7th December, 1866, a Convention was concluded between France and Italy relative to the Pontifical Debt.

‡ Ratifications exchanged at Paris, 19th September, 1864.

Emperor of the French and the King of Italy shall only be valid when His Majesty the King of Italy shall have decreed the removal of the Capital of the Kingdom to the place which shall ultimately be determined upon by His Majesty. That removal must be effected within the term of 6 months,* dating from the said Convention.

The present Protocol shall have the same force and value as the above-mentioned Convention. It shall be ratified, and the Ratifications shall be exchanged at the same time as those of the Convention.

Done in duplicate at Paris, 15th September, 1864.

(L.S.) DROUYN DE LHUYS.
(L.S.) NIGRA.
(L.S.) PEPOLI.

* The Seat of the Italian Government was removed from Turin to Florence in May, 1865; and from Florence to Rome on the 1st July, 1871.

## No. 367.—*TREATY OF PEACE between Austria, Prussia, and Denmark. Signed at Vienna, 30th October, 1864.**

ART. TABLE.

Preamble. Reference to Preliminaries of Peace of 1st August, 1864.
1. Perpetual Peace and Friendship.
2. Renewal of Treaties.
3. Renunciation by *Denmark* of Rights over Duchies of *Schleswig*, *Holstein*, and *Lauenburg*.
4. Cession of Islands and Territories of *Schleswig*. Cession of *Jutland*. Territories enclosed in the *Schleswig* Territory. Parts of *Schleswig* and *Jutland* to belong to *Denmark*.
5. Boundary between *Denmark* and *Schleswig*. Rights of New Sovereign Power.
6. Appointment of Mixed Boundary Commission.
7. Rights of Mixed Proprietors.
8 to 11. Division of Public Debt of the *Danish* Monarchy.
12. The Duchies to pay War Expenses of *Prussia* and *Austria*.
13. Mutual Restitution of all Captured Ships and their Cargoes, or their Value. Mixed Commission of Claims to be appointed.
14. *Danish* Government to reimburse all Sums deposited by Subjects, &c., of the Duchies in the *Danish* Treasury. New Government of the Duchies to reimburse all Sums deposited by *Danish* Subjects in the Treasury of the Duchies.
15. Payment of Pensions by *Denmark* and the Government of the Duchies. Mixed Commission to be appointed.
16. Appanages to be paid by *Denmark*. The Duchies to reimburse their quota.
17. New Government of the Duchies to undertake all Contracts entered into by the *Danish* Government.
18. Right of Military and Civil Servants to choose their Nationality without hindrance or loss.
19. Right of Subjects of Ceded Territories to leave with their Moveable Property, and to retain their Immoveable Property in the Ceded Territories. Similar Rights extended to *Danish* Subjects.
20. Archives, &c., relating to the Duchies to be made over to the New Government.
21. Rights of Most Favoured Nation with reference to Commerce and Navigation.
22. Evacuation of *Jutland*.
23. Ratifications.

(Translation.†)

*Reference to Preliminaries of Peace of 1st August, 1864.*

In the Name of the Most Holy and Indivisible Trinity.

His Majesty the King of Prussia, His Majesty the Emperor

* An Armistice was concluded on the 18th July, 1864, and Preliminaries of Peace were signed at Vienna on the 1st August, 1864.

† For French version, see "State Papers," vol. liv, p. 522.

of Austria, and His Majesty the King of Denmark, have resolved to convert the Preliminaries signed on the 1st of August last into a Definitive Treaty of Peace.

To that effect, their Majesties have appointed as their Plenipotentiaries, namely:

His Majesty the King of Prussia, the Sieur Charles, Baron de Werther, Envoy Extraordinary and Minister Plenipotentiary to the Court of Austria, &c.; and

The Sieur Armand Louis de Balan, Member of the Council of State, Envoy Extraordinary and Minister Plenipotentiary, &c.;

His Majesty the Emperor of Austria, the Sieur Jean Bernard, Comte de Rechberg-Rothenlöwen, Chamberlain and Intimate Councillor, &c.; and

The Sieur Adolphe Marie, Baron de Brenner-Felsach, Envoy Extraordinary and Minister Plenipotentiary, &c.;

His Majesty the King of Denmark, the Sieur George Joaquim de Quaade, Chamberlain and Minister without Portfolio, &c.; and

The Sieur Henrik Auguste Theodore de Kauffmann, Chamberlain and Colonel of the Staff, &c.;

Who have assembled at Vienna, and after having exchanged their Full Powers, found to be in good and due form, have agreed upon the following Articles:

*Perpetual Peace and Friendship.*

ART. I. There shall be for the future Perpetual Peace and Friendship between their Majesties the King of Prussia, and the Emperor of Austria, and His Majesty the King of Denmark, as well as between their Heirs and Successors, their States, and their respective Subjects.

*Renewal of Treaties.*

ART. II. All Treaties and Conventions concluded before the War between the High Contracting Parties are re-established in their vigour, in so far as they are not abrogated or modified by the tenor of the present Treaty.

*Renunciation by Denmark of Rights over Duchies of Schleswig, Holstein, and Lauenburg.*

ART. III. His Majesty the King of Denmark renounces all his Rights over the Duchies of Schleswig, Holstein, and Lauen-

burg* in favour of their Majesties the King of Prussia and the Emperor of Austria, engaging to recognise the dispositions which their said Majesties shall make with reference to those Duchies.†

*Cession of Islands and Territories of Schleswig.*

ART. IV. The Cession of the Duchy of Schleswig includes all the Islands belonging to that Duchy, as well as the Territory situated on *terra firma*.

*Cession of Jutland Territories enclosed in the Schleswig Territory.*

In order to simplify the Delimitation, and to put an end to the inconveniences arising out of the position of the Jutland Territories enclosed in the Territory of Schleswig, His Majesty the King of Denmark cedes to their Majesties the King of Prussia and the Emperor of Austria the Jutland Possessions to the south of the southern Line of Frontier of the District of Ribe, such as the Jutland Territory of Mœgeltondern, the Island of Amrom, the Jutland parts of the Islands of Fœhr, Sylt, and Rœmœ, &c.

*Parts of Schleswig and Jutland to belong to Denmark.*

In exchange, their Majesties the King of Prussia and the Emperor of Austria agree to an equivalent part of Schleswig, and including, besides the Island of Aerœ, Territories contiguous to the above-mentioned district of Ribe, with the remainder of Jutland, and to correct the Line of Frontier between Jutland and Schleswig, on the side of Kolding, being detached from the Duchy of Schleswig, and incorporated into the Kingdom of Denmark.

*Boundary between Denmark and Schleswig.*

ART. V. The new Frontier between the Kingdom of Denmark and the Duchy of Schleswig shall start from the middle of the mouth of the Bay of Hejlsminde on the little Belt, and after crossing that Bay, shall follow the southern Frontier of the Parishes of Hejls, Vejstrup, and Taps, the latter as far as the Stream to the south of Gejlbjerg and Bränore, thence following that Stream from its mouth in the Fovs-Aa, along the southern Frontier of the Parishes of Odis and Vandrup, and the western Frontier of the latter, as far as Königs-Au (Konge-Aa) to the north of Holte. From that point the Thalweg of the Königs-Au (Konge-Aa) shall form the Frontier as far as the Eastern Limit

* See Prussian Patent of 13th September, 1865.

† See Convention of 14th August, 1865.

of the Parish of Hjortlund. Starting from that point, it shall follow the same Limit, and its continuation as far as the projecting angle to the north of the Village of Obekjär, and then the Eastern Frontier of that Village as far as the Gjels-Aa. From thence the Eastern Frontier of the Parish of Seem and the Southern Limits of the Parishes of Seem, Ribe, and Vester-Vedsted shall form the new Frontier, which, in the North Sea, shall pass at equal distances between the Islands of Manœ and Rœmœ.

*Rights of New Sovereign Power.*

In consequence of this new Delimitation, all Titles and Mixed Rights are declared to be extinct, secular as well as spiritual, which have heretofore existed within the enclosures, in the Islands, and in the Mixed Parishes. The new Sovereign Power, therefore, in each of the Territories separated by new Frontiers, shall enjoy in that respect its full Rights.

ARTS. VI to XXI. (See Table.)

*Evacuation of Jutland.*

ART. XXII. The Evacuation of Jutland by the Allied Troops shall be effected within the shortest possible delay, at latest within 3 weeks after the exchange of the Ratifications of the present Treaty.

*Ratifications.*

ART. XXIII. The present Treaty shall be ratified, and the Ratifications thereof shall be exchanged at Vienna within 3 weeks, or sooner if possible.

In testimony whereof the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done at Vienna, the 30th day of October, in the year of Our Lord, 1864.

(L.S.) QUAADE.
(L.S.) KAUFFMANN.
(L.S.) WERTHER.
(L.S.) BALAN.
(L.S.) RECHBERG.
(L.S.) BRENNER.

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ANNEX. PROTOCOL *relative to the Evacuation of Jutland by the Allied Troops.*

[A Protocol, dated 1st April, 1865, was signed between Austria and Prussia, relative to the Indemnities, &c., to the Duke of Augustenburg.]

**No. 368.**—*ACCESSION of the British Government to the Convention signed at Geneva, 22nd August, 1864, for the Amelioration of the Condition of the Wounded in Armies in the Field. Signed at London, 18th February, 1865.*

THE President and Federal Council of the Swiss Confederation having communicated to the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, a Convention signed at Geneva on the 22nd August, 1864 (**No. 365**), between the Swiss Confederation, His Royal Highness the Grand Duke of Baden, His Majesty the King of the Belgians, His Majesty the King of Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Royal Highness the Grand Duke of Hesse, His Majesty the King of Italy, His Majesty the King of the Netherlands, His Majesty the King of Portugal and the Algarves, His Majesty the King of Prussia, and His Majesty the King of Wurtemberg, for the amelioration of the condition of the Wounded in Armies in the Field, which Convention is word for word as follows:

[Here follows the Convention (**No. 365**).]

And the Swiss Confederation having, in virtue of Article IX of the said Convention, invited the Government of Her Britannic Majesty to accede thereto;

The Undersigned, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, duly authorised for that purpose, hereby declares that the Government of Her Britannic Majesty fully accedes to the Convention aforesaid.

In witness whereof he has signed the present Act of Accession, and has affixed thereto the Seal of his Arms.

Done at London, the 18th day of February, in the year of Our Lord, 1865.

(L.S.) RUSSELL.

*Act of Acceptance of the British Accession of 18th February, 1865, by the Swiss Confederation in the name of all the Contracting Parties. Signed at Berne, 3rd March, 1865.*

(Translation.)

The Federal Council of the Swiss Confederation:

Having seen the Act signed at London on the 18th February, 1865, whereby his Excellency the Minister for Foreign Affairs of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, in exercise of the power reserved by Article IX of the International Convention concluded at Geneva on the 22nd August, 1864 (**No. 365**), for the amelioration of the condition of Soldiers Wounded in Armies in the Field, declares that the Government of Her Britannic Majesty fully accedes to that Convention; which Act of Accession is as follows:

[Here follows the Act of Accession.]

Declares by these presents:

In virtue of the final stipulation of the *procès-verbal* of the exchange of the Ratifications of the said Convention, signed at Berne on the 22nd December, 1864, that the Federal Council accepts such Accession, as well in the name of the Swiss Confederation as in that of the other High Contracting Parties, to whom official communication thereof is given by the present Declaration.

In witness whereof these presents have been signed by the President and the Chancellor of the Confederation, and furnished with the Seal of the Federal Council, at Berne, the 3rd March, 1865.

In the name of the Swiss Federal Council,
The President of the Confederation,
SCHENK.

The Chancellor of the Confederation,
SCHIESS.

**No. 369.**—*ACT of Accession of the Sultan of Turkey to the Treaty between Great Britain, France, Russia, and Greece, of 29th March,* 1864, *for the Union of the Ionian Islands to Greece. Constantinople, 8th April,* 1865.

(Translation as laid before Parliament.*)

In the Name of Almighty God.

THEIR Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of All the Russias, on the one part, and His Majesty the King of the Hellenes on the other part, having concluded between them on the 29th March, 1864, a Treaty for the Union of the Ionian Islands to the Kingdom of Greece (**No. 357**); and their said Majesties, with reference to the Act under date of the 24th April, 1819 (**No. 91**), whereby the Sublime Ottoman Porte recognised the Protectorate of Great Britain over the Ionian Islands, having proposed to His Imperial Majesty the Sultan to accede to the aforesaid Treaty; and His Imperial Majesty having accepted that proposal, the Plenipotentiaries of the High Powers, that is to say:

On the part of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable William Stuart, her Chargé d'Affaires to the Sublime Ottoman Porte;

On the part of His Majesty the Emperor of the French, the Sieur Lionel, Marquis de Moustier, Ambassador of His Majesty the Emperor of the French to the Sublime Ottoman Porte, &c.;

On the part of His Majesty the Emperor of All the Russias, the Sieur Nicholas Ignatieff, Major-General and Aide-de-Camp General of His Imperial Majesty, his Envoy Extraordinary and Minister Plenipotentiary to the Sublime Ottoman Porte, &c.;

On the part of His Majesty the King of the Hellenes, the Sieur Peter Delyanni, his Envoy Extraordinary and Minister Plenipotentiary to the Sublime Ottoman Porte, &c.;

And on the part of His Imperial Majesty the Sultan, His Highness Mohammed Emin Aali Pasha, his Minister for Foreign Affairs, &c.;

* For French version see "State Papers" vol. lv, p. 48.

Met together for the purpose of recording in due form the Accession of His Imperial Majesty the Sultan, and the Acceptance of that Accession by the 4 Courts Parties to the Treaty.

In consequence the Plenipotentiary of His Majesty the Sultan declares, in virtue of his Full Powers, that the Sublime Porte formally accedes to the above-mentioned Treaty signed at London on the 29th March, 1864 (**No. 357**), between their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of the French, and the Emperor of All the Russias, on the one part, and His Majesty the King of the Hellenes on the other part, for the Union of the Ionian Islands to the Kingdom of Greece, which Treaty is, word for word, as follows:

[Here follows the Treaty, **No. 357**.]

The Plenipotentiaries of Great Britain, France, Russia, and Greece, in virtue of their Full Powers, formally accept, in the name of their respective Courts, the said Accession of the Sublime Ottoman Porte.

The present Act of Accession and Acceptance shall be ratified, and the acts of Ratification* thereof shall be exchanged at Constantinople in two months from this date, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Constantinople, the 8th day of April, in the year of Our Lord, 1865.

(L.S.) W. STUART. (L.S.) AALI.
(L.S.) MOUSTIER.
(L.S.) N. IGNATIEFF.
(L.S.) P. DELYANNI.

* Ratifications exchanged at Constantinople 15th June, 1865.

## No. 370.—*CONVENTION between Austria and Prussia, respecting the Elbe Duchies of Schleswig, Holstein, and Lauenburg. Signed at Gastein, 14th August, 1865.**

ART. TABLE.

Preamble. Reference to Treaty of 30th October, 1864.
1. *Austria* to administer the Duchy of *Holstein*, and *Prussia* the Duchy of *Schleswig*.
2. Proposal to be made to Diet to establish a *German* Fleet in Harbour of *Kiel*. Harbour of *Kiel* to be under command, &c., of *Prussia*.
3. Proposal to be made that *Rendsburg* be a *German* Federal Fortress. Garrison of Fort of *Rendsburg*.
4. *Prussia* to retain two Military Roads in *Holstein*. Regulations as to Military Roads.
5. Telegraph communication with *Kiel* and *Rendsburg*. Railway from *Lubeck* through *Kiel* to *Schleswig*.
6. Entrance of Duchies into the *Zollverein*.
7. Canal between the *North Sea* and the *Baltic* through *Holstein*. Rights of *Prussia* over construction, &c., of Canal. Dues to be levied for the use of the Canal.
8. Financial Obligations. *Lauenburg* released from Contribution towards expenses of the War. Division of Obligations between *Holstein* and *Schleswig*.
9. Cession by *Austria* to *Prussia* of Right over *Lauenburg*. Indemnity to *Austria* for *Lauenburg*.
10. Division of Co-Sovereignty over *Holstein* and *Schleswig*. Cessation of Joint Command.
11. Exchange of Declarations.

(Translation.)

*Reference to Treaty of 30th October, 1864.*

THEIR Majesties the Emperor of Austria and the King of Prussia have become convinced that the Co-Sovereignty which has hitherto existed in the Territories ceded by Denmark in the Treaty of Peace of 30th October, 1864 (**No. 367**), leads to untoward results, which at the same time endanger both the good understanding between their Governments and the Interests of the Duchies. Their Majesties have therefore resolved for the future not to exercise in common the Rights which have accrued to them by Article III of the above-mentioned Treaty, but to divide the exercise thereof geographically until a further agreement may be made.

* See also Treaty between Austria and Prussia, signed at Prague, 23rd August, 1866.

For this purpose His Majesty the Emperor of Austria, &c., has appointed as his Plenipotentiary, Count von Blome; the King of Prussia, &c., has appointed as his Plenipotentiary, M. von Bismarck-Schönhausen; who, after having communicated to each other their respective Full Powers, which were found in good and due form, have agreed upon the following Articles:

*Austria to administer the Duchy of Holstein, and Prussia the Duchy of Schleswig.*

ART. I. The exercise of the Rights acquired in common by the High Contracting Parties, in virtue of Article III of the Vienna Treaty of Peace of 30th October, 1864 (**No. 367**), shall, without prejudice to the continuance of those rights of both Powers to the whole of both Duchies, pass to His Majesty the Emperor of Austria as regards the Duchy of Holstein, and to His Majesty the King of Prussia as regards the Duchy of Schleswig.

*Proposal to be made to Diet to establish a German Fleet in Harbour of Kiel.*

ART. II. The High Contracting Parties will propose to the Diet the establishment of a German Fleet, and will fix upon the Harbour of Kiel as a Federal Harbour for the said Fleet.

*Harbour of Kiel to be under command, &c., of Prussia.*

Until the resolutions of the Diet with respect to this proposal have been carried into effect, the Ships of War of both Powers shall use this Harbour, and the Command and the Police Duties within it shall be exercised by Prussia. Prussia is entitled both to establish the necessary Fortifications opposite Friedrichsort for the protection of the entrance, and also to fit up along the Holstein bank of the inlet the Naval Establishments that are requisite in a Military Port. These Fortifications and Establishments remain likewise under Prussian command, and the Prussian marines and troops required for their Garrison and Protection may be quartered in Kiel and the neighbourhood.

*Proposal to be made that Rendsburg be a German Federal Fortress.*

ART. III. The High Contracting Parties will propose in Frankfort the elevation of Rendsburg into a German Federal Fortress.

*Garrison of Fort of Rendsburg.*

Until the Diet shall have issued the regulations respecting Garrisoning the said Fortress, the Garrison shall consist of Imperial Austrian and Royal Prussian troops under a command annually alternating on the 1st July.

*Prussia to retain two Military Roads in Holstein.*

ART. IV. Whilst the division agreed upon in Article I of the present Convention continues, the Royal Prussian Government shall retain two Military Roads through Holstein; the one from Lubeck to Kiel, the other from Hamburg to Rendsburg.

*Regulations as to Military Roads.*

All details as to the Military Stations, and as to the transport and subsistence of the Troops, shall be regulated as soon as possible in a Special Convention. Until this has been done, the Regulations in force as to the Prussian Military Roads through Hanover shall be observed.

*Telegraph Communication with Kiel and Rendsburg.*

ART. V. The Royal Prussian Government retains the disposal of one Telegraphic wire for communication with Kiel and Rendsburg, and retains also the right to send Prussian mail-vans, with its own officials on both lines through the Duchy of Holstein.

*Railway from Lubeck through Kiel to Schleswig.*

Inasmuch as the construction of a direct Railway from Lubeck through Kiel to the Schleswig Frontier is not yet assured, the concession thereof shall be granted on the request of Prussia, for the Territory of Holstein under the customary conditions; but no claim shall be made by Prussia for Rights of Sovereignty with regard to the line.

*Entrance of Duchies into the Zollverein.**

ART. VI. The High Contracting Parties entertain in common the intention that the Duchies shall enter the Zollverein. Until they shall enter the Zollverein, or until some further agreement shall be made, the system of Duties hitherto in force in both Duchies, and the equal division of the Revenues, shall continue to exist. If it should appear desirable to the Royal Prussian

* See Constitution, 14th June, 1867.

Government, even during the existence of the division agreed upon in Article I of the present Convention, to open negotiations respecting the entry of the Duchies into the Zollverein, His Majesty the Emperor of Austria is prepared to empower a Representative of the Duchy of Holstein to take part in such negotiations.

*Canal between the North Sea and the Baltic, through Holstein.*

ART. VII. Prussia is entitled to make the Canal that is to be cut between the North Sea and the Baltic, through the Territory of Holstein, according to the result of the professional investigations undertaken by the Prussian Government.

*Rights of Prussia over Construction, &c., of Canal.*

In so far as this shall be the case, Prussia shall have the right to determine the direction and the dimensions of the Canal; to acquire possession of the Land necessary for carrying out the work by means of expropriation, with an indemnification to the amount of the value; to conduct the construction of the Canal; to superintend the inspection and conservation of the Canal; and to give her assent to all regulations respecting the said Canal.

*Dues to be Levied for the use of the Canal.*

With the exception of the Navigation Dues, which are to be levied for the use of the Canal, and which are to be regulated by Prussia, and to be the same for the Ships of all Nations, no Transit Tolls or Dues upon Ship and Cargo are to be levied at any part of the Canal.

*Financial Obligations. Lauenburg released from Contribution towards Expenses of the War.*

ART. VIII. Nothing is changed by the present Convention in the Stipulations of the Vienna Treaty of Peace of 30th October, 1864 (**No. 367**), relative to the Financial Obligations to be undertaken by the Duchies both as regards Denmark and as regards Austria and Prussia; but the Duchy of Lauenburg is to be released from every obligation of contributing towards the expenses of the War.

*Division of Obligations between Holstein and Schleswig.*

The division of these Obligations between the Duchies of Hol-

stein and of Schleswig will be based upon the proportion of population.

*Cession by Austria to Prussia of Right over Lauenburg. Indemnity to Austria for Lauenburg.**

ART. IX. His Majesty the Emperor of Austria cedes to His Majesty the King of Prussia the Rights acquired in the aforementioned Vienna Treaty of Peace (**No. 367**) with respect to the Duchy of Lauenburg; and in return the Royal Prussian Government binds itself to pay to the Austrian Government the sum of 2,500,000 Danish rix-dollars, payable at Berlin in Prussian silver, 4 weeks after confirmation of the present Convention by their Majesties the Emperor of Austria and the King of Prussia.

*Division of Co-Sovereignty over Holstein and Schleswig.*

ART. X. The carrying into effect of the foregoing division of the Co-Sovereignty, which has been agreed upon, shall begin as soon as possible after the approval of this Convention by their Majesties the Emperor of Austria and the King of Prussia, and shall be accomplished at the latest by the 15th September.

*Cessation of Joint Command.*

The joint Command-in-Chief, hitherto existing, shall be dissolved on the complete Evacuation of Holstein by the Prussian troops and of Schleswig by the Austrian troops, by the 15th September, at the latest.

*Exchange of Declarations.*

ART. XI. The present Convention shall be approved by their Majesties the Emperor of Austria and the King of Prussia by exchanging written Declarations at their next meeting.†

In witness whereof both the Plenipotentiaries named at the beginning have on this day set their signatures and seals to this Convention in duplicate copy.

Done at Gastein, 14th August, 1865.

(L.S.) G. BLOME.
(L.S.) VON BISMARCK.

* See Prussian Patent of 13th September, 1865.
† Approved at Salzburg, 20th August, 1865.

## No. 371.—*PRUSSIAN PATENT taking Possession of the Duchy of Lauenburg. Berlin, 13th September*, 1865.

(Translation.)

We William, by the Grace of God, King of Prussia, &c., hereby declare and make known:

Whereas His Majesty King Christian IX of Denmark, by Treaty of Peace concluded at Vienna on the 30th October, 1864 (**No. 367**), ceded his rights over the Duchy of Lauenburg to Us and to His Majesty the Emperor of Austria conjointly; and whereas His Majesty the Emperor of Austria has, by the Convention agreed upon between us at Gastein on the 14th August of this year (**No. 370**), and approved at Salzburg on the 20th of the same month, and made public by our Civil Commissioner on the 5th of this month, made over to us his share in those rights; we take possession, in virtue of the present Patent, and in fulfilment of the desire expressed by the Representatives of Lauenburg, of this Duchy, with all Rights of Sovereignty and Lordship, add to our Titles that of a Duke of Lauenburg, and ordain that the Duchy of Lauenburg shall be Hereditary in our Royal House, according to the laws which exist for the Succession to the Crown of Prussia. We send our paternal greeting to all Inhabitants of the Duchy, and charge them to recognise us forthwith as their rightful Sovereign, to tender to us and our successors the Oath of Allegiance, and to live according to our Laws and Ordinances whereby we assure and promise them Our Sovereign Protection, that we will rule them equitably, protect the country and its inhabitants in its legally acquired rights, and exhibit a paternal solicitude for their welfare.

We have named our Minister-President and Minister for Foreign Affairs, von Bismarck-Schönhausen, Our Minister for Lauenburg, and charged him to carry on the Government in accordance with the laws and regulations now existing in the Duchy, and will continue and confirm all officials of the Duchy in their employment, after they have taken the Oath of Allegiance to us.

We hereby commission our Minister, Count Arnim-Boytzen-

burg, to take possession of the Duchy in Our name, to administer the oath for us to the Chief Functionaries, and to charge them with the swearing of the other officials, whilst we put off receiving the homage of the country until we can do so in person.

Done at Berlin, 13th September, 1865.

WILLIAM, Rex.

v. BISMARCK.

**No. 372.**—*BRITISH CIRCULAR relative to the Annexation of the Danish Duchies to Prussia. London, 14th September,* 1865.

Sir,

THE Chargé d'Affaires of Prussia has communicated to me the substance of a despatch relating to the Convention of Gastein (**No. 370**), and the newspapers of Berlin have since published the text of that Convention.

Upon the first communication to Her Majesty's Government of the Preliminaries of Peace signed at Vienna (**No. 367**), I stated at Vienna and Berlin the views of Her Majesty's Government upon those Preliminaries.

The present Convention has only served to increase the regret Her Majesty's Government then expressed.

The Treaties of 1815 gave the King of Denmark a seat in the German Diet as Duke of Holstein (**No. 27**).

The Treaty of 1852 (**No. 230**) recognised the right of Succession to the whole Danish Monarchy, which the late King had established in the person of the present King.

That Treaty has, in spite of the assurances given in the Despatches of 31st January, 1864,* been completely set aside by Austria and Prussia, two of the Powers who had signed it.

It might have been expected that when Treaties were thus annulled, the popular feeling of Germany, the wishes of the people of the Duchies themselves, and the opinions of the Diet so explicitly put forth by Austria and Prussia in the sittings of the Conference of London,† would have been recognised in their place. In this manner if an order of Rights had been overthrown, another Title drawn from the assent of the people would have been set up, and that Title might have been received with respect and maintained with a prospect of permanence.

But all Rights, old and new, whether founded on the solemn Compact of Sovereigns or on the clear expression of the popular will, have been set at naught by the Convention of Gastein (**No. 370**), and the dominion of Force is the sole power acknowledged and regarded.

* See next page. † Page 1611.

Violence and conquest are the bases upon which alone the Partitioning Powers found their agreement.

Her Majesty's Government deeply lament the disregard thus shown to the principles of public right, and the legitimate claims of a people to be heard as to the disposal of their own destiny.

This instruction does not authorise you to address observations on this subject to the Court to which you are accredited, but is intended only to point out when the opportunity shall present itself what is the language you are expected to hold.

RUSSELL.

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[On the 29th August, 1865, a Circular, to the same effect, was addressed by the French Government to its Diplomatic Agents Abroad.]

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[Note referred to on preceding page.]

(Translation as laid before Parliament.)

*Vienna, 31st January,* 1864.

THE Imperial Government, by basing upon the stipulations of 1851–52 the rights which, in concert with Prussia, it is proceeding to enforce upon Denmark, has by this very act recognised the principle of the Integrity of the Danish Monarchy, as established by the transactions of 1851–52 (**Nos. 229, 230**). The Imperial Government, in proceeding to the occupation of Schleswig, does not intend to depart from this principle.

If, however, in consequence of complications which may be brought about by the persistence of the Danish Government in its refusal to accomplish its promises of 1851–52, or of the Armed Intervention of other Powers in the Dano-German conflict, the Imperial Government were to find itself compelled to renounce combinations which would no longer offer a result proportionate to the sacrifices which events might impose upon the German Powers, no definite arrangements could be made without the concurrence of the Powers who signed the Treaty of London (**No. 230**). The British Government would then find the Imperial Government ready to come to an agreement with them as to the definitive arrangement of the Dano-German question.

Your Excellency is requested to read and give a copy of this despatch to Earl Russell.

Receive, &c.,
RECHBERG.

[A similar Note, bearing the same date, was addressed by M. de Bismarck to Count Bernstorff, and a copy of it was communicated to Earl Russell by Count Bernstorff on the 4th February, 1864.]

# No. 373.—*BOUNDARY TREATY between France and Spain. Signed at Bayonne, 26th May,* 1866.

ART. TABLE.

Preamble. Reference to Treaties of 2nd December, 1856, and 14th April, 1862.

1 to 16. Detailed Demarcation of Frontier from the Department of the *Pyrénées-Orientales* to the *Val d'Andorre.*

17. *French* and *Spanish* Officers to be appointed to settle Boundary Marks.

18 & 19. Pasturage Rights.

20. The Canal from the Waters of the *Aravo* to *Puycerda* to belong to *Puycerda.*

21. Rights of Road between *Llivia* and the Territory of *Puycerda.*

22. *Spain* not to erect Military Fortifications in *Llivia* or its Territory.

23 to 26. Pasturage Rights and Rights of Road of *Llivia.*

27. Irrigation Rights.

28. Mutual Rights of Road.

29. Written Conventions between Borderers of either State, to remain in Force until their expiration. Right of Borderers to enter into Contracts between each other.

30. Seizure of Cattle.

31. Annulment of all Contracts, &c., contrary to the present Convention.

32. Execution of Treaty.

33. Ratifications.

(Translation.*)

*Reference to Treaties of 2nd December,* 1856, *and 14th April,* 1862.

HIS Majesty the Emperor of the French, and Her Majesty the Queen of Spain, wishing to fix in a definitive manner the Frontier common to both States, as well as the Rights, Usages, and Privileges belonging to the Populations bordering the two States between the Department of the Pyrénées-Orientales and the Province of Girone from the Val d'Andorre† to the Mediterranean, in order to complete from one sea to the other the work so happily begun, and followed out in the Treaties of Bayonne of the 2nd December, 1856 (**No. 275**), and 14th April, 1862 (**No. 336**), and at the same time and for ever to strengthen order and good rela-

* For French version, see "State Papers," vol. lvi, p. 212.

† See Note, page .

tions between Frenchmen and Spaniards in that eastern part of the Pyrenees, in the same manner as on the remainder of the Frontier, from the Mouth of the Bidassoa to the Val d'Andorre, have considered it necessary to insert in a third and last Special Treaty, in continuation of the two above-mentioned, the stipulations which they have considered best to attain that object, and have appointed as their Plenipotentiaries to that effect, namely:

His Majesty the Emperor of the French, the Sieur Camille Antoine Callier, General of Division, &c.;

And the Sieur George Comte Serrurier, Minister Plenipotentiary, &c.;

And Her Majesty the Queen of Spain, Don Francisco Maria Marin, Marquis de la Frontera, Senator of the Kingdom, Minister Plenipotentiary, &c.;

And Don Manuel de Monteverde y Bethancourt, Marshal of the National Armies, &c.;

Who, after having communicated to each other their Full Powers, found to be in good and due form, after having examined, explained, and discussed all the Titles which have escaped the destructive effects of time, from the ancient origin of the litigations to be solved; after having collected the verbal testimony of those interested and explored the places; after having applied themselves to establish and conciliate, in all equity, the Rights and Pretensions maintained on either side, and taking as a basis the corrected Article XLI* of the Treaty of the Pyrenees and the Convention of Llivia of 1660,* consequent thereon, have agreed upon the following Articles:

ARTS. I to XXXIII. (See Table.)

In testimony whereof the respective Plenipotentiaries have signed it and affixed thereto the Seal of their Arms.

Done in duplicate, at Bayonne, on the 26th day of the month of May, in the year of Our Lord, 1866.

(L.S.) GAL. CALLIER.
(L.S.) CTE. SERRURIER.
(L.S.) EL MARQUES DE LA FRONTERA.
(L.S.) MAL. MONTEVERDE.

* See Appendix.

## No. 374.—*BOUNDARY ACT between France and Spain. Signed at Bayonne, 26th May, 1866.*

ART. TABLE.

Preamble. Reference to Treaties of 2nd December, 1856, 14th April, 1862, and 26th May, 1866.

1 to 3. Preservation of Boundary Marks.

4 to 6. Cattle and Pasturage.

7. Properties divided by the Frontiers.

8 to 20. Administration and enjoyment of the Waters common to both Countries.

21. Ratification of Article XV of the Boundary Treaty of 1862.

22. Ratifications.

(Translation.*)

*Reference to Treaties of 2nd December, 1856, 14th April, 1862, and 26th May, 1866.*

THE Undersigned, Plenipotentiaries of France and Spain for the International Delimitation of the Pyrenees, duly authorised by their respective Sovereigns, to unite under one Act the Regulations applicable over the whole Frontier in either Country, and relative to the preservation of the Boundary Marks, to Cattle and Pasturage, to Properties divided by the Frontier, and the enjoyment of the Waters common to both, Regulations which, on account of their general character, claim a special place, which they could not find in the Treaties of Bayonne of the 2nd December, 1856 (**No. 275**), and the 14th April, 1862 (**No. 336**), nor in that of this day's date (**No. 373**), have agreed upon the following Articles:—

ARTS. I to XXII. (See Table.)

In testimony whereof the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done in Duplicate at Bayonne, the 26th day of the month of May, in the year of Our Lord, 1866.

(L.S.) GAL. CALLIER.
(L.S.) CTE. SERRURIER.
(L.S.) EL MARQUES DE LA FRONTERA.
(L.S.) MAL. MONTEVERDE.

* For French version, see "State Papers," vol. lvi, p. 226.

## No. 375.—*PROTOCOLS OF CONFERENCES between Great Britain, Austria, France, Italy, Prussia, Russia, and Turkey, relative to the Danubian Principalities of Moldavia, and Wallachia. Paris, March to June,* 1866.*


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[On the 30th June, 1866, the United Principalities of Moldavia and Wallachia promulgated a Constitution, in which they assumed the Title of "Roumania."]

* See Turkish Firman of 23rd October, 1866, recognising Prince Charles of Hohenzollern as Sovereign of the United Principalities of Moldavia and Wallachia.

**No. 376.**—*PRUSSIAN DECLARATION to the Germanic Diet of the Causes of War with Austria, and announcement of the Dissolution of the Germanic Confederation (Pacte Fédéral). Frankfort, 14th June,* 1866.*

(Translation.)

ALTHOUGH the Envoy had, in the name of his exalted Government, protested against the Austrian motion, the Federal Assembly has nevertheless proceeded to a Vote contrary to that Protest.

The Envoy has now to fulfil the serious duty of making known to the High Assembly the resolutions which his exalted Government, after the Vote which has just taken place, considers imposed upon it for the safety of the rights and interests of the Prussian Monarchy, and of its position in Germany.

The presentation of the motion of the Austrian Government constitutes of itself, in the firm conviction of the Royal Government, an act indubitably in manifest contradiction with the Federal Constitution, an act which Prussia must, in consequence, consider as a dissolution of the Confederation.

The Federal Law only recognises for the Confederated States measures of execution for which forms and conditions previously determined upon are prescribed; the movement of a Federal Army against a Confederate State is as foreign to the Military Federal Constitution as any measure decreed by the Diet against a Confederate State beyond the means of execution.

The position of Austria in Holstein especially is not placed under the protection of Federal Treaties, and His Majesty the Emperor of Austria cannot be considered as a Member of the Confederation for the Duchy of Holstein.

For these reasons the Royal Government abstained from discussing in any way the grounds of the Austrian motion, although it would have been in this case an easy task to repel the reproach brought against Prussia of violation of the Peace, and to throw back that reproach against Austria.

It has rather appeared to the Royal Cabinet that the course to be followed, and the only legally admissible one, was for the

* See Note, page 1722.

Assembly to get rid by the previous question of a motion of an anti-legal character.

The Royal Government, considering the Federal bonds which have existed up to this day, can but deeply regret that his Confederates did not give effect to its formal proceeding.

For 3 months past the most powerful member of the Confederation, violating the Fundamental Laws of the Pact, has, to do itself justice, armed against Prussia; that circumstance had already seriously shaken the confidence of the Prussian Government in the protection which the Germanic Confederation has guaranteed to each of its members. The Royal Government having, therefore, appealed for the protection of Prussia against an arbitrary attack by Austria, to the action of the Confederation and of its Members; that appeal had no other result than the Armament of other Confederated States, Armaments the objects of which have remained without explanation. The Royal Government, after such precedents, necessarily considered their external and internal security as endangered, which, according to Article II of the Federal Pact (**No. 26**) is the principal object of the Confederation.

The Motion, in contravention of the Treaties, drawn up by Austria, and the adoption of that Motion by a part of the Confederated States, no doubt after a previous understanding, could only confirm and strengthen the views of the Royal Government.

By virtue of the Federal Law, no Declaration of War can be made against any Member of the Confederation. The Austrian motion, therefore, and the vote of the States adhering to it, being a Declaration of War against Prussia, the Royal Government considers the Dissolution of the Federal Pact (**No. 26**) as accomplished.*

In the name, and by the august order of His Majesty the King, his gracious master, the Envoy therefore declares that Prussia considers the Federal Pact in force up to the present time as dissolved; that so far from considering it henceforth obligatory, it will consider it as having expired, and will act accordingly.

His Majesty the King, nevertheless, does not consider the national basis on which that Confederation has been established

* See Treaty between Austria and Prussia, signed at Prague, 23rd August, 1866. Art. IV.

as destroyed from the fact of the extinction of the old Confederation.

Prussia, on the contrary, holds firmly to those bases and to the Unity of the German Nation, Unity soaring above temporary forms, and considers it the bounden duty of the German States to find in that Unity the most suitable expression.

The Royal Government here submits, on its part, the constitutive basis of a new Union of States more in keeping with the wants of the period, and declares itself ready to conclude, on the modified bases of the old Confederation, a new Confederation with such of the German States as would join it with that object.*

The Envoy is only executing the Orders of his exalted Government in declaring his mission with the High Federal Assembly as terminated.

Finally, the Envoy must, in the name and by order of his exalted Government, reserve and protect the Rights and Titles of every kind which the Royal Government, by virtue of its relations with the late Confederation, is entitled to claim upon all Properties and Appurtenances of the latter. The Envoy is particularly instructed decidedly to Protest against the use which might be made, without its special consent, of the Federal Funds already voted.

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[On the 12th June, 1866, the Austrian Ambassador at Berlin demanded his Passports "in consequence of the forcible occupation of Holstein by the Prussian Troops, and in defiance of Treaties."]

* The Constitution of the North *German* Confederation was signed on the 14th June, 1867; but it was altered by the Constitution for the *German* Confederation of 16th April, 1871.

# No. 377.—*CORRESPONDENCE respecting the proposed Assembly of a Congress for the preservation of the Peace of Europe. Paris, May, June*, 1866.

TABLE.

1. Willingness of *Great Britain* to take part in Congress. Proposed appeal by *Great Britain* and *France* to *Austria, Denmark*, and *Prussia* to resume the *status quo*. Proposed Co-operation of *Russia*.
2. Willingness of *France* to take part in Congress, but not to adopt the suggestion of a *status quo*.
3. Views of *Great Britain* on *French* Proposal for Meeting of a Conference. Cession of *Venetia* to *Italy*. Destiny of the *Elbe Duchies*, and Reforms of the *Germanic* Confederation. *Austria, Prussia, Italy*, and *Frankfort* Diet to be invited to the Congress.
4. Consent of *Great Britain* to *French* Proposal for a Conference.
5. Views of *Great Britain* and *France* as to Position to be taken by *Great Britain, France*, and *Russia* in proposed Conference.
6. Consent of *Russia* to proposed Appeal to *Austria, Italy*, and *Prussia* to resume the *status quo*. Views as to proposed Congress.
7. Proposal to *Austria* to restore Armaments to a Peace Footing.
8. Preliminary Conference between the Plenipotentiaries of *Great Britain, France*, and *Russia*. Invitation to be made to *Austria, Italy, Prussia*, and *Germanic* Confederation to join in a Congress on the subject of the Cession of *Venetia* to *Italy*, the Destiny of the *Elbe Duchies*, and *German* Federal Reforms.
9. Understanding upon which *Great Britain* could take part in a Congress for the preservation of the Peace of *Europe*, and the Questions to be discussed; the *Elbe Duchies, Venetia* and *German* Federal Reform.
10. Question of Guarantee of the Temporal Power of the *Pope* not to be referred to in Congress.
11. Concurrence of *French* Government in views of *Great Britain* relative to the object of the proposed Congress.
12. Invitation to *Austria, Italy, Prussia*, and *Germanic* Confederation to join in a Congress with a view to the preservation of the Peace of *Europe*. Objects to be discussed.
13. Objects of proposed Congress, and necessity of suspending all Military Preparations during the Sittings of the Conferences.
14. Presentation of Identic Notes to *Prussian* Minister for Foreign Affairs, inviting *Prussia* to join in a Congress for the preservation of Peace. Answers to be sent to respective Courts.
15. Acceptance by *Prussia* to Invitation of 3 Powers to proposed Congress, and the Points to be discussed.
16. Replies to *French* Instructions to attend proposed Congress.
17. Consent of *Austria* to attend proposed Congress, with certain Reservations.
18. Consent of *Frankfort* Diet to attend proposed Congress.

19. Consent of *Italy* to attend proposed Congress.
20. Abandonment of proposed Congress on account of *Austrian* Reservations.
21. Abandonment of proposed Congress for the preservation of the Peace of *Europe.*
22. Causes which led to the abandonment of the proposed Congress for the preservation of the Peace of *Europe.*

(1) *The Earl of Clarendon to Earl Cowley.*

*Willingness of Great Britain to take part in Congress. Proposed Appeal by Great Britain and France to Austria, Denmark, and Prussia, to resume the* status quo. *Proposed Co-operation of Russia.*

(Extract.) *Foreign Office, 2nd May,* 1866.

I HAVE received your Excellency's despatch dated yesterday, on the question of assembling a Congress, with the view of endeavouring through its interposition to prevent the breaking out of War in Europe.

Circumstances are very different at the present moment from what they were at the time when a Congress was formerly proposed. At that time Her Majesty's Government feared that a Congress might lead to War; but War being now imminent, a Congress might avert that calamity, and consequently Her Majesty's Government would be willing to take part in it, as they are fully alive to the nature and extent of the danger by which Europe is now menaced.

But Her Majesty's Government consider that a Congress should not meet without its objects being previously defined, and without a reasonable prospect of effecting the purpose for which it was convoked.

The origin of the unfortunate dispute between Prussia and Austria is the Duchies, upon the Annexation of which Prussia appears to be determined. Could a Congress sanction such a policy, which could only be carried into effect by violence, if the wishes of the people were not consulted? and if they were, assuredly Prussia would not obtain the Duchies.

With regard to the Cession of Venetia,* it is notorious that Austria will not cede her Italian provinces, unless she obtains Territorial compensation elsewhere; but where is this to be obtained?

* The Lombardo-Venetian Kingdom was ceded by Austria to Italy by the Treaty signed at Prague 23rd August, 1866.

Negotiation, therefore, upon the most important points on which Peace depends, would infallibly fail in a Congress which would be powerless to enforce them; and Her Majesty's Government would be as averse as the Emperor to take part in a Congress which in the face of Europe might prove its impotence for maintaining Peace.

But it does not follow, therefore, that two Powers like England and France, peaceful and prosperous at home, should remain passive spectators of a bloody strife which will at once inflict serious evils upon their subjects.

The 3 Powers now on the point of taking the field have each solemnly declared that it has no aggressive intention against the other; that each is only arming in expectation of attack; and Her Majesty's Government would, therefore, suggest that England and France, acting upon these repeated assurances, and invoking the Declaration of Paris (**No. 269**), should make a solemn appeal to the honour, the Christian feelings, and the true interests of the 3 Powers, should call upon them to resume the *status quo*, and declare that the Power which persisted without sufficient cause in provoking an unjustifiable War must in the eyes not only of England and France, but of the whole civilized World, be held responsible for all the calamities which it will cause.

Her Majesty's Government would further suggest that Russia, whose position is analogous to that of England and France, should be invited to join in this appeal.

CLARENDON.

*Earl Cowley.*

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(2) *Earl Cowley to the Earl of Clarendon.*

*Willingness of France to take part in Congress, but not to adopt the Suggestion of a* status quo.

(Extract.) *Paris, 4th May*, 1866.

On the receipt this morning of your Lordship's despatch of the 2nd instant, and of that of yesterday's date, I went immediately to M. Drouyn de Lhuys and read them to him.

His Excellency said that in addressing himself to the Great Powers with a view of ascertaining their opinion as to the practicability of a Congress at the present moment, he had not enter-

tained the expectation that their answers would be other than those which he had received, and which were in general of the same tenor as that returned by your Lordship; but as a proposal for a Congress had been made two years ago by France (**No. 356**), and as the word "Congress" had again been pronounced now, he had not wished it to be supposed that France was indifferent upon the subject, or would be unwilling to meet her Allies, if the assembling of a Congress should be judged by them to be expedient.

In your Lordship's reasoning as to the impediments to the assembling of a Congress M. Drouyn de Lhuys fully concurs, but I regret to add that he does not seem at all disposed to adopt your Lordship's suggestion that England and France should make a solemn appeal to the Powers now in Arms to resume the *status quo*.

COWLEY.

*The Earl of Clarendon.*

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(3) *The Earl of Clarendon to Earl Cowley.*

*Views of Great Britain on French Proposal for the Meeting of a Conference. Cession of Venetia to Italy, Destiny of the Elbe Duchies, and Reforms of the Germanic Confederation. Austria, Prussia, Italy, and Frankfort Diet to be invited to the Congress.*

My Lord, *Foreign Office*, 10*th May*, 1866.

THE Prince de la Tour d'Auvergne read to me yesterday a telegraphic despatch from M. Drouyn de Lhuys, the substance of which was as follows:

M. Drouyn de Lhuys expressed his opinion that if the Great Powers desired to arrest the events that were approaching, they ought resolutely to assert their claim to take under their control ("évoquer résolument à elles") the Questions that divide the Continent. Three questions now threaten to disturb the Peace of Europe—Venetia, the Elbe Duchies, and Federal Reform in Germany. If England, Russia, and France would consent to join in a Congress, after having agreed that, without raising any other question, their deliberations should be directed exclusively to the Cession of Venetia to Italy (compensation being given to Austria,

and guarantees for the Temporal Power of the Pope),* to the destiny of the Elbe Duchies, and to the Reform of the German Confederation, in so far as it affected the European Equilibrium, —they might invite to this Congress Austria, Prussia, Italy, and a Representative of the German Confederation.

M. Drouyn de Lhuys thinks that it would be impossible to arrive at any previous understanding upon the solution of these Questions, but that it would be sufficient that the 3 Powers above mentioned should announce a firm intention to settle them ("les résoudre"), in order that the evils of War should be averted and Peace secured.

Upon this project M. Drouyn de Lhuys desired to have the opinion of Her Majesty's Government with the least possible delay.

I told the French Ambassador that I could give no answer to the Proposal of M. Drouyn de Lhuys without consulting my Colleagues, beyond saying that we were ready and willing to take part in any measure likely to promote the maintenance of Peace; but that we must see our way before us, and clearly understand the nature of the objects to be pursued, as well as the extent of any engagements we might enter into; that we must not commit ourselves by vague expressions to acts which we did not contemplate, or expose ourselves to the charge of leaving France in the lurch by declining to go her lengths in any course of policy which she might think necessary, but which to us might not seem advisable.

I added, as my own personal opinion, that a Preliminary Congress of 3 Powers—France, England, and Russia—to settle between themselves the Questions laid down in the despatch of M. Drouyn de Lhuys might be offensive to Austria and Prussia; and that as to a "firm intention" to settle these questions, it would be indispensable to define the full intent and purport of these words, because if it was meant that Prussia was to be forced not to annex the Duchies, or that liberty was to be given to her to do so, or that Austria was to be coerced into yielding Venetia, I felt sure that to the declaration, in the present state of affairs, of a "firm intention" so interpreted, Her Majesty's Government could not be a party.

The Prince de la Tour d'Auvergne promised to report these observations as my own, which did not therefore commit Her

* See page 1667.

Majesty's Government; and to ask M. Drouyn de Lhuys for the further explanations of which I had pointed out the necessity.

I am, &c.,

CLARENDON.

*Earl Cowley.*

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(4) *The Earl of Clarendon to Earl Cowley.*

*Consent of Great Britain to French Proposal for a Conference.*

(Extract.) *Foreign Office, 10th May*, 1866.

THE Prince de la Tour d'Auvergne has communicated to me this morning a telegram from M. Drouyn de Lhuys, by which Her Majesty's Government learn with satisfaction that no importance is attached by the French Government to the term "Congress" for the preliminary meeting of English, French, and Russian Representatives; and your Excellency is accordingly instructed that, upon the invitation of M. Drouyn de Lhuys, you may meet his Excellency and your Russian Colleague in order to confer upon the 3 Questions laid down in M. Drouyn de Lhuys' telegraphic despatch which, as stated in my previous despatch of this day, the French Ambassador communicated to me yesterday, and the settlement of which is now of urgent importance for the Peace of Europe.

It is unnecessary that I should inform your Excellency that at any such Meeting you must observe the utmost discretion as regards the language that you may hold.

The importance cannot be exaggerated of leaving no doubt in M. Drouyn de Lhuys' mind of the anxiety of Her Majesty's Government not to enter, even by implication, into any engagements which we should be unwilling or unable to fulfil; and your Excellency will in all respects govern your language by the tenor of my previous despatch of to-day's date, which you will read to M. Drouyn de Lhuys, though, at the same time assuring his Excellency of the anxious desire of Her Majesty's Government to co-operate with the Imperial Government towards arresting the War by which Europe is now menaced.

CLARENDON.

*Earl Cowley.*

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(5) *The Earl of Clarendon to Earl Cowley.*

*Views of Great Britain and France as to Position to be taken by Great Britain, France, and Russia in Proposed Conference.*

Sir, *Foreign Office, 11th May*, 1866.

THE French Ambassador has made me acquainted with the reply of which he had already received by telegraph, and stated to me the substance as I informed you in my despatch of yesterday, to the observations which I had made to him on his communication of the previous day, and of which I gave you an account in my other despatch of yesterday, on the subject of a previous understanding being come to by the Governments of England, France, and Russia as to the measures which they might propose to Austria, Prussia, Italy, and Germany, with a view to prevent an interruption of the general Peace.

M. Drouyn de Lhuys says in this despatch that he concurs in the objection I made to the Preliminary Conference between the 3 Powers being designated as a Congress; it is immaterial to France so long as an understanding between the 3 Powers in the interest of Peace is brought about, in what form it is so.

M. Drouyn goes on to say, with reference to the exception which I had taken to the expression of "a firm intention" on the part of the 3 Powers to settle the question of Venetia, the Elbe Duchies, and German Reform, that the avowed Pacific and Neutral Policy of the Imperial Government precluded the supposition of any preconceived plan on the part of France to interfere actively in matters which only concerned her to the extent of the bearing that they had on general interests; that whether all the Great Powers met together in Congress at once, or whether England, France, and Russia alone conferred together with a view to devise a solution of pending Questions, the course usually observed in regard to such Meetings should be adhered to; that if an unanimous conclusion was arrived at, there was an end of the matter; that if it were not so, each Power would, with its own opinion, retain full liberty of action. France fully understood the objection of England to bind herself beforehand to maintain by Force of Arms any recommendations that she might make; and, like England, in case the Powers should not come to a common understanding, France purposed to remain free to act as she thought fit. But M. Drouyn de Lhuys is of opinion that it would be well that the question of the eventual employment of force should be left undetermined (réservée"), inasmuch as the decisions of the

Powers would be stripped of all force and authority if they were to declare beforehand that the Enforcement by Arms of the decisions at which they might arrive was absolutely renounced by them.

I thanked the Prince de la Tour d'Auvergne for the communication, which I said to a great extent removed the objections I had stated to him, and I informed his Excellency of the instructions which had yesterday been sent to your Excellency, authorising you, upon the invitation of M. Drouyn de Lhuys, to meet that Minister and the Russian Ambassador, in order to confer upon the 3 Questions of Venetia, the Elbe Duchies, and German Reform, the settlement of which M. Drouyn de Lhuys had represented as of urgent importance for the Peace of Europe.

I am, &c.,

*Earl Cowley.* CLARENDON.

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(6) *Sir A. Buchanan to the Earl of Clarendon.*

*Consent of Russia to proposed Appeal to Austria, Italy, and Prussia to resume the* status quo. *Views as to proposed Congress.*

(Extract.) *St. Petersburgh, 7th May*, 1866.

On my calling on Prince Gortchakoff at his request this morning, he inquired whether the French Ambassador had said anything to me relative to a Congress being convoked with a view to prevent the present state of affairs in Germany and Italy ending in War, and on my answering in the affirmative he proceeded to acquaint me with what had passed between Baron de Talleyrand and himself on the subject. His Excellency said that the French Ambassador had acquainted him with a suggestion of Her Majesty's Government, that representations should be addressed simultaneously by Great Britain, France, and Russia, to the Cabinets of Vienna, Berlin, and Florence, with a view to induce them to disarm and to seek by negotiation a peaceful arrangement of their differences, but that as the French Government considered such a measure would be ineffectual ("inefficace") they were anxious in the first place to come to some preliminary understanding with Russia respecting the Elbe Duchies, Federal Reform in Germany, and the position of Venice, which might lead eventually to a Congress being held for the settlement of these questions.

Prince Gortchakoff said he had told Baron de Talleyrand when he mentioned the question to him two days ago (and he was about to do so again by the orders of the Emperor), that the present circumstances of Europe were too critical to afford time for discussions upon points in which it would be extremely difficult to induce the different parties interested to agree; but that Russia would be ready to join Great Britain and France, as suggested by Her Majesty's Government, in urging the two German Powers and Italy to replace their Military Establishments on a Peace Footing, and that while he would trust principally to the action of the Emperor Napoleon at Florence to obtain the desired result from the Italian Government, he conceived that the Cabinets of Vienna and Berlin could hardly resist a common energetic appeal to them from the 3 Great Powers.

In the meanwhile, however, his Excellency thought it might be expedient to assent to a proposal for a Congress, provided that the objects to be discussed by it were clearly defined, so that none could be brought forward except those which had reference to the difficulties which have given rise to the present complications.

He further stated that Baron Brunnow had reported what your Lordship had said to him as to the views with which a British Plenipotentiary would enter such a Congress. These views would also, he said, be those of the Russian Plenipotentiary, but he thought it would be inopportune now to discuss details, as he would prefer that the invitation to the Congress should be made in general terms.

*The Earl of Clarendon.* A. BUCHANAN.

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(7) *Sir A. Buchanan to the Earl of Clarendon.*

*Proposal to Austria to restore Armaments to a Peace Footing.*

(Extract.) *St. Petersburgh, 9th May,* 1866.

Prince Gortchakoff read a despatch to me, which he has forwarded this morning to Vienna, urging on the consideration of the Austrian Government the expediency of immediately coming to an understanding with Italy for a simultaneous restoration of their Armaments to a footing of Peace; and his Excellency said that if the representations of the Russian Minister at Vienna were favourably received by Count Mensdorff, the Russian messenger would proceed immediately to Florence with instructions to Count Kisseleff to express to the Government of Italy the

earnest hope of the Emperor that they will be ready to enter at once into an arrangement for disarming, which will remove the danger to which the Peace of Europe is at present exposed.

Copies of this despatch were forwarded to-day to Paris and London, and it will be read to your Lordship by Baron Brunnow.

A. BUCHANAN.

*The Earl of Clarendon.*

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(8) *Earl Cowley to the Earl of Clarendon.*

*Preliminary Conference between the Plenipotentiaries of Great Britain, France, and Russia. Invitation to be made to Austria, Prussia, Italy, and the Germanic Confederation to join in a Congress on the subject of the Cession of Venetia to Italy, the destiny of the Elbe Duchies, and German Federal Reforms.*

(Extract.) *Paris, 15th May*, 1866.

M. DE BUDBERG having informed M. Drouyn de Lhuys yesterday that he had been authorised to assent to the Proposal made to his Government by his Excellency on the 8th instant, to meet his Excellency and myself in Conference, with a view of examining whether some steps might not be taken by the 3 Governments we have the honour to represent for the assembling of a Congress in the interests of Peace, M. Drouyn de Lhuys invited my Russian colleague and myself to meet him this afternoon at the Ministry for Foreign Affairs.

M. Drouyn de Lhuys opened the conversation by recounting the substance of the communication which he had addressed to London and St. Petersburgh, and he proposed that the Governments of Austria, Prussia, and Italy, and the Germanic Confederation, should be invited by England, France, and Russia to join in a Congress, in order to discuss the 3 Questions laid down in his telegram of the 8th instant, which are set forth in your Lordship's despatch of the 10th instant.

I asked his Excellency how he proposed that this invitation should be made—whether collectively by the 3 Powers, or by France alone, assured of the support of the other two. His Excellency replied, by a collective, or at all events by an identic, communication from the 3 Powers.

M. de Budberg asked when it was proposed that this Congress should be held, and how it was to be composed.

M. Drouyn de Lhuys replied that the idea of the Emperor was that the Congress should meet at Paris, and that the Plenipotentiaries of the Powers, resident at Paris, should compose it. Of course if any Government chose to send a Plenipotentiary *ad hoc*, no objection could be made to it.

COWLEY.

*The Earl of Clarendon.*

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(9) *The Earl of Clarendon to Earl Cowley.*

*Understanding upon which Great Britain could take part in a Congress for the Preservation of the Peace of Europe, and the Questions to be discussed; the Elbe Duchies, Venetia, and German Federal Reform.*

My Lord, *Foreign Office*, 17*th May*, 1866.

THE French Ambassador has received from M. Drouyn de Lhuys a despatch, dated the 13th instant, referring to the communication made to the latter by your Excellency of the purport of my despatch of the 10th instant.

Your Excellency, M. Drouyn de Lhuys says, agreed with him on the necessity of England, France, and Russia communicating to the Powers whom they might invite to take part in a Congress, the Questions to be there discussed.

The serious circumstances of the present time make it indispensable to restrict, as far as possible beforehand, the range of discussion. Remonstrances or advice would not, in the opinion of the French Government, ensure the result which it was sought to obtain; but being sincerely desirous of arriving at it, the French Government accepted generally the proposition of a Congress when suggested to it, stipulating only that the object for which it was to meet should be clearly defined.

France did not, any more than England or Russia, propose to constitute herself the judge of the Differences which had caused a portion of Europe to take up arms; the 3 Powers did not, therefore, propose to agree among themselves upon the manner in which the question in debate should be solved, and to put forward their conclusions to be accepted by the Powers more directly interested.

But the French Government thought that, when inviting those Powers to join in an endeavour to arrive at a peaceful solution of existing Differences, it was but fair and prudent to

explain what, in their opinion, were the questions with which the Congress would have to deal.

Those questions were notoriously Venetia, the Elbe Duchies, and Federal Reform in Germany; any general discussion among the Powers of Europe not specially directed to their solution, would leave in full force all the real causes of the collisions which are dreaded.

If the Peace of Europe is to be maintained, it will not do to shrink from examining those questions with a firm intention of solving them. By that, however, the French Government does not mean that England, France, and Russia, being Neutral and relatively disinterested Powers as regards the impending struggle, are bound to impose their opinions on the Powers more directly parties in the dispute. The duty of the 3 Powers would be to propound the questions to be solved, to invite the others to discuss them, and to seek, in concert with the 3 Powers, a solution which they, and not the 3 Powers, have the means of bringing about.

If an agreement were established, Peace would be secured, and the object of the 3 Powers would be obtained; if not, each would, in the presence of a state of things which it had been found impossible to control, be free from any engagements save those which the duty of providing for its own interests would dictate.

Having reported the above to my colleagues, I was authorised by them to express to the French Ambassador, and through your Excellency to M. Drouyn de Lhuys, the satisfaction of Her Majesty's Government at the tone and tenor of the despatch of the French Minister for Foreign Affairs, which will enable Her Majesty's Government to co-operate with the Government of the Emperor in an endeavour to avert from Europe the calamities of War.

Her Majesty's Government concur with M. Drouyn de Lhuys in thinking that the 3 Questions which now place Europe in imminent danger of War, are those of the Elbe Duchies, Venetia, and Federal Reform; and they do not disguise from themselves that their solution, more especially that of the first two, present difficulties of surpassing magnitude; but they must be grappled with earnestly and with a firm intention to overcome them; and the course of proceeding suggested by M. Drouyn de Lhuys is entirely in accordance with the views of Her Majesty's Government.

His Excellency justly observes that it is not the duty of the 3 Neutral Powers to impose their opinions upon the Powers among whom these serious differences have arisen; but that it is their duty to call upon those Powers to deliberate with England, France, and Russia, who are comparatively disinterested in the impending struggle, upon the causes which have led to these differences, and the means by which they may be arranged. If this call should be responded to, and agreement among all the Powers should be the happy result, Europe will be indebted to the Congress for the inestimable blessing of Peace; but if events beyond the control of the Powers should unfortunately render this agreement impossible, then each will retain its own views, and each will be free from all obligations, and at full liberty to adopt that course of policy which its regard for the Peace and welfare of Europe, and the maintenance of its honour and interests, may seem to it to require.

Upon this understanding, Her Majesty's Government willingly assent to take part in the Congress proposed by the Government of the Emperor.

Your Excellency will read this despatch to M. Drouyn de Lhuys, and give his Excellency a copy of it, should he desire to have one.

I am, &c.,
CLARENDON.

*Earl Cowley.*

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(10) *The Earl of Clarendon to Earl Cowley.*

*Question of Guarantee of the Temporal Power of the Pope not to be referred to in Congress.*

(Extract.) *Foreign Office, 18th May*, 1866.

Her Majesty's Government desire to omit reference to the Guarantee of the Temporal Power of the Pope, because that question does not concern the Peace of Europe, and would therefore be altogether irrelevant to the object for which the Congress would be convoked; and Prussia and Russia would probably have the same objection as the British Government to entering into any such guarantee, and the same difficulties in giving effect to it, if ever called upon to do so.

CLARENDON.

*Earl Cowley.*

(11) *Earl Cowley to the Earl of Clarendon.*

*Concurrence of French Government in views of Great Britain relative to the object of the proposed Congress.*

My Lord, *Paris*, 19*th May*, 1866.

I HAD the honour to receive this morning your Lordship's despatch of the 17th instant, stating the understanding upon which Her Majesty's Government would be willing to take part in the Congress for the preservation of Peace proposed by the Government of the Emperor.

I saw M. Drouyn de Lhuys this afternoon, and read your Lordship's despatch to him. His Excellency expressed his agreement in all your Lordship's observations, and his satisfaction with the tone of your despatch. In future his Excellency proposed to substitute the word Conference for Congress, as more adapted to the form of invitation which it was now proposed to address to the Powers in Arms.

I thought it right to remind M. Drouyn de Lhuys that in stating to the Prince de la Tour d'Auvergne that I had agreed with his Excellency on the necessity of England, France, and Russia communicating to the Powers whom they might invite to take part in a Congress, the questions to be there discussed, he had over-estimated my words, for that I had invariably given him to understand that anything which I might say in the course of these Preliminary discussions could have no value unless ratified by Her Majesty's Government. His Excellency fully admitted the truth of this remark.

M. Drouyn de Lhuys having expressed a desire to have a copy of your Lordship's despatch, I have directed that one may be made and sent to him.

I have, &c.,
COWLEY.

*The Earl of Clarendon.*

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(12) *The Earl of Clarendon to the British Representatives at Vienna, Berlin, Florence, and Frankfort.*

*Invitation to Austria, Italy, Prussia, and Germanic Confederation to join in a Congress with a view to the Preservation of the Peace of Europe. Objects to be discussed.*

My Lord, *Foreign Office*, 24*th May*, 1866.

THE difference which has arisen between Austria and Prussia

on account of the affairs of the Duchies daily assumes more menacing dimensions, and becomes a serious matter of anxiety for Europe. Public opinion is alarmed at the prospect of a War in which so many interests would be involved. The 3 great Neutral Powers themselves could not contemplate without disquietude the possibility of an armed conflict between States for which they profess an equal degree of friendship. Considerations of the highest character urged them to devise the means of averting this danger. Great Britain, France, and Russia have consulted together on this matter, under the influence of the same peaceful and conciliatory sentiments, and after interchanging their impressions they have agreed to invite to take part in common deliberations the Governments which are or which may be involved in the dispute, namely, Austria, Prussia, Italy, and the Germanic Confederation.

The object of these deliberations is self-evident. It is proposed in the interest of Peace to settle by means of diplomacy the question of the Elbe Duchies, that of the Italian dispute, and, lastly, that of the Reforms to be introduced in the Federal Pact, so far as they may affect the Balance of Power in Europe.

If the Governments to whom we address this appeal agree to it, as we hope they will do, their Plenipotentiaries might join at Paris those of Great Britain, France, and Russia. As regards the time of the Meeting, it would be desirable that it should take place without any delay. It is impossible too soon to dispel the apprehensions caused by the present crisis, and give to Europe in her present state of anxiety a pledge of security. The negotiations will have all the better prospect of success if they are not disturbed by the clash of Arms, and by susceptibilities arising out of points of military honour. We are persuaded that in acceding to the proposal of the 3 Courts, the Powers who are now engaged in military preparations might be disposed to suspend them, even if they should hesitate to replace their forces on a Peace footing.

I have to instruct you to come to an understanding with your colleagues the Representatives of France and Russia, who will receive from their Courts similar instructions, with a view to making simultaneously to the Government to which you are accredited a communication in the terms of the present despatch.

Her Majesty's Government await with anxiety the decision of the Government of Austria.

I am, &c.,
CLARENDON.

(13.) *Circular to British Ministers at the German Courts and at Berne.*

*Objects of proposed Congress, and necessity of suspending all Military Preparations during the Sittings of the Conferences.*

(Extract.) *Foreign Office, 28th May*, 1866.

HER Majesty's Government and the Governments of France and Russia have been in earnest consultation with each other on the question of making a common effort to preserve the Peace of Europe.

The last remaining chance of doing so has appeared to the 3 Powers to be found in inviting to a Conference the Representatives of the several Powers, who, from the scale on which their Military Preparations are being pushed forward, may be expected to engage in War, for the purpose of considering with the Representatives of England, France, and Russia, whether some means of settlement cannot be devised which shall avert so great a calamity.

It has appeared to the 3 Powers that it would be desirable to specify the precise points on which these discussions should turn; and the points of which they consider the adjustment to be most required at the present moment are those of the Elbe Duchies, the Italian dispute, and Federal Reform in Germany, so far as the latter may affect the Balance of Power in Europe.

The 3 Powers have accordingly instructed their Representatives at Vienna, Berlin, Frankfort, and Florence, formally and simultaneously to invite the Governments to which they are accredited to take part with the Governments of England, France, and Russia in common deliberations, having for their object a settlement of those 3 questions.

The 3 Powers have named Paris as the seat of the Conference, and have pointed out that it should be opened as soon as possible. They have further suggested that it would be advantageous if, during the Conference, Military Preparations were suspended, even should the forces now enrolled not be replaced on a Peace Footing.

Her Majesty's Government have lent themselves to this proceeding with the greatest satisfaction. They heartily join in an endeavour to preserve the Peace of Europe, and they will not abandon the hope that the Conference may lead to that result. They have every assurance that the Invitation of the 3 Powers

will be accepted by those to whom it has been addressed; but if the case should be otherwise, or if events beyond the control of the Powers should unfortunately render an agreement impossible, it is clearly understood that each of the Neutral Powers who will have been instrumental in bringing about the Conference will retain its own views, and that each will be free of all obligations, and at full liberty to adopt that course of policy which its regard for the Peace and welfare of Europe, and the maintenance of its honour and interests, may seem to require.

You will not fail in any conversation that you may hold with the Government to which you are accredited, on the matters to which I have now referred, to lay particular stress on the importance attaching to a suspension, at least, of Military Preparations during the sitting of the Conference. It would be inexcusable in any Power if it were to attempt to render nugatory the meeting of the Conference by measures tending to precipitate a commencement of Hostilities.

CLARENDON.

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(14.) *Lord A. Loftus to the Earl of Clarendon.*

*Presentation of Identic Notes to Prussian Minister for Foreign Affairs, inviting Prussia to join in a Congress for the Preservation of Peace. Answers to be sent to respective Courts.*

My Lord, *Berlin, 28th May*, 1866.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 24th instant, which was delivered to me yesterday morning by Mr. Johnson.

In conformity with your Lordship's instructions I immediately placed myself in communication with my colleagues the Representatives of France and Russia, who had received from their Courts despatches of a similar nature, with a view to arranging the mode of fulfilling our respective instructions.

After a mutual communication of the despatches we had received from our Governments, we agreed to ask for an interview with Count Bismarck, at which we should severally and conjointly present copies of them to his Excellency. The French Ambassador applied to Count Bismarck, in our joint names, for an interview, and his Excellency appointed to-day, at one o'clock, to receive us.

Accordingly, at the appointed hour we repaired to the Ministry for Foreign Affairs.

The French Ambassador, after a few words stating that the object of our joint communications was the preservation of Peace, proceeded to read to his Excellency the despatch of his Government, Identical with the draft of which a copy was inclosed in your Lordship's despatch of the 24th instant. When M. Benedetti had concluded, M. d'Oubril and I presented to his Excellency copies of our respective despatches, stating that they were Identic with the despatch which the French Ambassador had just read.

Count Bismarck, after stating that his Sovereign desired nothing better than Peace, and was most willing to concur in any way towards its maintenance, and to avert War, said that he would take the orders of his Sovereign. He added that, at the same time, he might say, from his knowledge of the King's views, that there would be no difficulty raised on the part of Prussia in accepting the invitation to the proposed Conference. He recalled to M. Benedetti and to myself that, when on a previous occasion we had unofficially inquired his opinions on the subject of a Conference, he had expressed himself as well disposed to take part in it.

His Excellency then said that he would make a few observations on the communication the French Ambassador had just read.

First of all, he must remark that, with reference to the differences between Austria and Prussia, he could not admit that they were solely to be attributed to the question of the Duchies. He stated that Prussia would not have undertaken a War for the acquisition of one Duchy; and that, however difficult the position might have become between the two States with respect to the Government of those Duchies, still there was nothing to have prevented the continuance of the *status quo* for many years. But, observed his Excellency, early in March, Austria commenced Military Preparations which at last assumed such dimensions that the safety of Prussia was endangered, and the King was obliged to order Defensive Armaments for the security of Berlin from a sudden attack.

It was therefore Austria who had been the first to commence these Armaments, and by her threatening attitude to produce the crisis of which Europe now complained.

The second observation which his Excellency made had reference to the participation in the Conference of the Germanic Confederation. He observed that the invitation (as he had learnt from Frankfort) had been already made to the Diet. He stated that with the exception of the late Conference in London on the Danish question (**No. 362**), it was the only occasion on which the Diet had been invited to take part in an European Conference. He did not, however, object to the participation of that body, the more so as Austria and Prussia were members of the Diet, and represented as such two-thirds of the Germanic Confederation.

If the Invitation had not been yet addressed he should have suggested a different course, and would have proposed that one of the Governments of the Minor States should have been selected to have represented the Germanic Confederation.

His Excellency observed that time was of great value to Prussia; the cost of maintenance of her present Armaments was very great; and it was therefore of the utmost importance to her that the Conference should be opened with the least delay. He feared that the participation of the Diet would occasion much delay. By the rules of that body a delay of 8 days was allowed to the Plenipotentiaries to obtain instructions from their respective Governments previous to taking a vote. Then again he observed that instructions would have to be drawn out for the Plenipotentiary selected to represent the Germanic Confederation; and it was in the power of any one State to raise objections which might be productive of delay and inconvenience.

Then again he observed that possibly the Plenipotentiary might have to refer to the Diet during the course of the Conferences for fresh instructions, which would occasion a fresh delay. The purport of his Excellency's observations appeared to refer exclusively to the delay and loss of time which may be occasioned by the participation of the German Confederation in the proposed Conference, and which his Excellency seems to fear may greatly retard the progress of its deliberations.

Count Bismarck finally inquired whether in the Invitation any precise allusion was made to the participation at the Conference of the Ministers for Foreign Affairs of the respective Countries, or whether the resident Representatives at Paris would be empowered to act as Plenipotentiaries.

M. Benedetti replied that in the despatch he had read the point was not precisely stated. After some desultory conversa-

tion on this subject Count Bismarck stated that unless it was a condition *sine quâ non*, or that the other Ministers for Foreign Affairs attended in person, he should be glad to be relieved of this duty, as his presence was imperatively required here.

I here observed that although I had no instructions on this point, it appeared to me that there were two reasons which would render desirable the presence of the Ministers for Foreign Affairs at the Conference: 1st, the presence of the Ministers for Foreign Affairs would give greater solemnity to the Conference; and, second, their participation in the Conference would obviate the necessity, in many cases, of applying for instructions to the different Governments, and consequently a great saving of time might thus be effected.

Count Bismarck observed that his presence in the Conference would not prevent his being obliged to refer any decision of importance to the King; he finally stated that of course his participation in the Conference must depend on the King's wishes.

M. Benedetti then begged to invite Count Bismarck's attention to that portion of the despatch referring to the suspension of the Armaments by the Powers now engaged in Military Preparations, even if they should hesitate to replace their Forces on a Peace footing.

Count Bismarck replied that Austria was the State to apply to in this respect; he remarked that Prussia had never recalled her proposal and readiness to disarm, but it was Austria, he said, who had first commenced the Armaments, and therefore it was for her first to commence the Disarmament.

Before taking leave of Count Bismarck, his Excellency stated that he would reply to the communication we had conjointly made from our respective Governments through the Prussian Representatives in London, Paris, and St. Petersburgh, and that he would communicate to us conjointly the Prussian answer as soon as it was ready.

I have, &c.,
AUGUSTUS LOFTUS.

*The Earl of Clarendon.*

(15.) *Count Bismarck to Count Bernstorff.*

*Acceptance by Prussia to Invitation of 3 Powers to proposed Congress, and the points to be discussed.*

(Translation.)

M. le Comte, *Berlin, 29th May*, 1866.

THE Representatives of England, France, and Russia came to me yesterday to communicate the Identic Despatches in which their respective Governments invite the Government of the King to take part in deliberations which, according to their intention, are shortly to take place in Paris, in order to solve the various Questions which now threaten the Peace of Europe.

I hastened to lay this communication, of which your Excellency will find a copy enclosed herewith, before the King, our august Sovereign; and fully entering into the sentiments which have prompted the 3 Powers to adopt this course, His Majesty has deigned to direct me to announce to them that he readily accepted the proposal made to him, and that his Plenipotentiaries would join those of the other Powers in Paris.

The Government of the King thinks it right to record in this communication an observation suggested to it by the wording of the Invitation. It cannot admit that it is the question of the Elbe Duchies which threatens the Peace of Europe; the Government of the King, at least, has never intended to solve this question by recourse to Arms. It considers, on the contrary, the menacing attitude and the Military Preparations of Austria and other German Governments as the true origin of the complications which have since assumed more and more alarming proportions. Desirous, however, of contributing, so far as lies in its power, to remove all the causes of anxiety which weigh upon Europe, this Government consents willingly to submit this question, as well as the two others mentioned in the communication of the 3 Courts, to common discussion. The Government of the King shares fully the opinion of the 3 Governments that the meeting of the Conference must be hastened as much as possible, convinced as it is that any delay must compromise the chances of a successful issue.

I beg, M. le Comte, that you will communicate this despatch to Lord Clarendon.

I have, &c.,

*Count Bernstorff.* VON BISMARCK

(16.) *Earl Cowley to the Earl of Clarendon.*

*Replies to French Instructions to attend Proposed Conference.*

My Lord, *Paris*, 31*st May*, 1866.

M. DROUYN DE LHUYS has now been replied to affirmatively by all the Foreign Ministers invited to come to Paris; and his Excellency will address to-night telegrams to the different Courts proposing Tuesday, the 12th proximo, as the day for the first meeting of the Conference.

I asked his Excellency whether it was intended that the Members of the Conference should be limited to the Ministers, or whether others should be associated with them.

His Excellency replied that his notion was that the Conference should be established on the same principle as the Congress of 1856 (**No. 268**); that the Members should have Full Powers, but that each Government should use its own pleasure as to the appointment of one or more Plenipotentiaries.

I have, &c.,

*The Earl of Clarendon.* COWLEY.

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(Translation.)

(17.) *Count Mensdorff to Count Apponyi.*

*Consent of Austria to attend Proposed Congress, but with certain Reservations.*

*Vienna*, 1*st June*, 1866.

YOU will find annexed herewith a copy of the despatch communicated to me on the 29th of May by Lord Bloomfield, which transmits to the Imperial Government the Invitation to take part in common deliberations which are shortly to commence in Paris. A similar Invitation has been addressed to us at the same time, and in almost Identical terms, by the Courts of Paris and St. Petersburgh.

The 3 Cabinets inform us that the object of these deliberations would be to solve in the interest of Peace, by means of diplomacy, the Question of the Elbe Duchies, that of the Italian difficulty, and, lastly, that of the Reforms to be introduced in the German Federal Pact, so far as they may concern the Balance of Power in Europe.

We rejoice in doing justice to the sentiments which have dictated the steps taken by the 3 Powers. Austria especially is

too alive to the blessings of Peace not to see with pleasure the efforts made to avert from the face of Europe the calamities of War.

Notwithstanding the difficulties of our position in presence of the existing state of affairs, notwithstanding the very natural objections to which the idea of a Meeting called upon to discuss questions of a most delicate nature, as regards the Imperial Government, might give rise in our minds, we do not refuse to associate ourselves with these efforts. We thus wish to give a fresh proof of the conciliatory and disinterested views which have never ceased to animate our policy.

The Imperial Government desires only to receive beforehand the assurance that all the Powers which are to participate in the projected Conference are as ready as itself not to pursue any private interest to the detriment of the general Peace. In order that the work of Peace, which the Cabinets have in view, may be successfully accomplished, it appears to us indispensable that an agreement should be come to beforehand, to the effect that all plans tending to give a Territorial Aggrandizement or an Increase of Power to any one of the Powers invited to the meeting, be excluded from the deliberations. Without this Preliminary Guarantee, which removes all ambitious designs, and leaves room only for arrangements equitable for all parties in the same degree, it appears to us impossible to depend on a happy issue for the proposed deliberations.

No power imbued with really peaceful views will hesitate to enter into an engagement such as that which I have just indicated, and the Cabinets will, in that case, be able to occupy themselves with some chance of success at the solution of the present difficulties.

We believe that the English Government will not fail to recognise the legitimacy of our request. It will no doubt observe our sincere wish to secure to the Conferences the only basis possible to prevent any illusion, avert misunderstanding, protect existing rights, and thus again allow Europe to attach well-founded hopes of Peace to the opening of the deliberations. As soon as the 3 Governments which have invited us are prepared to give us the assurance we ask for, the Imperial Government will hasten, by sending a Plenipotentiary to Paris, to confirm the adhesion it this day gives, with the above reservation, to the proposal which has been made to it.

It must, however, be clearly understood that the position assumed by the Imperial Government towards that of King Victor Emmanuel cannot either be altered or prejudged by the eventual consent of Austria to be represented in an assembly which has to apply itself to the Italian difficulty.

In all diplomatic Conferences, held before War may have broken off any former engagement, it must be admitted that the International Law of Europe, and therefore the Treaties, naturally serve as starting-points of discussion. We believe that this remark cannot give rise to any objections; it is sufficient to show the attitude which we shall have to assume; and we think we are giving the Powers a pledge of the perfect loyalty of our intentions in showing a frankness which must be completely reciprocal if it is desired that a sincere effort at reconciliation should be attempted.

Lastly, we must express some surprise that the Government of the Pope is not also invited to take part in deliberations concerning the Italian difficulty. Surely the situation of Italy cannot be discussed without taking the interests of the Papacy into consideration. Apart from the questions of right, which we desire, however, to preserve entire, the Temporal Power of the Pope is, it appears to me, a fact recognised by all Governments. His Holiness has, therefore, the unquestionable right to make his voice heard in an assembly which has to occupy itself with the affairs of Italy.

Be so good as to communicate this despatch to Lord Clarendon, and to express to him the hope that he will receive our remarks with the same loyal spirit which has dictated them to us.

We are of opinion that the respective positions should be clearly defined on either side, if we would not lull Europe and ourselves by false illusions at the risk of thus augmenting rather than diminishing the peril.

We think, therefore, that we are rendering service to the general interest in making this request, and in inviting such explanations as will throw more light on the situation.

Receive, &c.,

MENSDORFF.

*Count Apponyi.*

(Translation.)

(18.) *M. de Kübeck to Sir A. Malet.*

*Consent of Frankfort Diet to attend proposed Congress.*

*Frankfort*, 1*st June*, 1866.

THE Undersigned, Minister of Austria, President of the Germanic Diet, has had the honour of receiving the Note which his Excellency Sir Alexander Malet, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to the Germanic Confederation, has been pleased to address to him on the 27th ultimo, by common understanding with his Excellency the Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of the French, and of His Majesty the Emperor of All the Russias, to invite the Germanic Confederation to take part in the deliberations which are to take place in Paris in the interests of the maintenance of Peace.

He has hastened to communicate this Note to the Upper Diet, and has the honour of informing Sir A. Malet that the Diet has just resolved to respond to the Invitation made to the Germanic Confederation. In like manner as the Governments of Great Britain, France, and Russia have acted under a common feeling of Peace and Reconciliation, the Diet, true to the spirit of the Treaties on which the Germanic Confederation is based, is animated by a great desire to contribute, so far as depends upon it, to the maintenance of Peace.

It manifests this desire in making every possible effort to this effect in its own sphere, and it will also prove it by a loyal and disinterested co-operation in the proposed negotiations.

These deliberations will have for object the question of the Elbe Duchies, the Italian difficulties, and the Reforms to be introduced into the Federal Pact so far as they may interest the Balance of Power in Europe.

There is no obstacle in the way of the Germanic Confederation taking part in the deliberations on the question of complications in Italy, which not only concern European, but also German interests. The other questions, however, necessitate some explanatory observations. The Holstein question, putting Schleswig aside, has always been considered purely German; that of the Reform of the Federal Constitution, excepting as regards the International Relations of the Germanic Confederation, has always been looked upon as purely internal, and there is no

ground for believing that these Questions will be looked upon in a different light during the coming deliberations. The Diet thinks it right to confine itself, therefore, to laying down these principles. It also believes itself confident of the general assent in declaring that it will ever adhere to the principle that no modification or abrogation of the Treaties can be made without the consent of the parties interested.

According to these views the Germanic Confederation will send, as soon as possible, its Plenipotentiary to Paris.

The Diet has confided this honourable mission to the Baron von der Pfordten, Minister of State of His Majesty the King of Bavaria; he will join the other Plenipotentiaries as soon as the date of the meeting is made known.

The Undersigned begs that his Excellency Sir A. Malet will bring this communication under the notice of the Government of Her Britannic Majesty.

KUBECK.

*Sir A. Malet.*

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(Translation.)

(19.) *General La Marmora to the Marquis d'Azeglio.*

*Consent of Italy to attend proposed Congress.*

M. le Ministre, *Florence, 1st June*, 1866.

THE Representatives of Great Britain, France, and Russia at this Court presented to me this day Identic Notes in the name of their respective Governments, inviting Italy to take part in the deliberations to take place in Paris, in order to solve by means of diplomacy the 3 principal Questions which threaten with imminent War both Italy and Germany.

The Government of the King adheres to this proposal with all the eagerness demanded by the urgent nature of the existing complications. It lends its support to the noble undertaking of the 3 great Neutral Powers with the greater alacrity, since it is far from apprehending, with respect to the interests which concern it most, the trial of a solemn debate.

We believe it to be a duty incumbent on the Governments engaged in the dispute not to elude the difficulties which have provoked it: the efficacy of the work to be performed by the

Conference depends on it. As far as we are concerned, the clearly defined nature of our position with regard to Austria renders this duty an easy one to fulfil.

The double nature of the existing differences between Prussia and Austria has been defined in the notes which the Ministers of the 3 Powers have been pleased to remit to me. Failing any mutually recognised basis of solution, this is at least a starting-point which will allow the Conference to give at the outset a useful direction to its discussions. The Government of the King is desirous to contribute its share, in order that the meeting of the Plenipotentiaries of the different Powers may be followed by results favourable to the interests of Germany. As to the difference which for a long time has divided Austria and Italy, it would seem that the definition of its object has not even been deemed necessary.

From whatever point of view it is considered, it is impossible to ignore the fact that the domination of Austria over Italian Provinces creates between Austria and Italy an antagonism which vitally affects the very existence of the two States. This situation, after constituting for several years a permanent danger to the Peace of Europe, has just reached a decisive crisis.

Italy has been forced to arm to ensure her independence; she is convinced, on the other hand, that the meeting convoked at Paris will aid in the settlement now considered indispensable, as it is not too much to say, by the conscience of Europe.

I beg, M. le Ministre, that you will communicate the contents of this despatch without delay to his Excellency the Minister for Foreign Affairs.

I have, &c.,
ALPHONSE LA MARMORA.

*Marquis d'Azeglio.*

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(20.) *The Earl of Clarendon to Earl Cowley.*

*Abandonment of proposed Congress on account of Austrian Reservations.*

My Lord, *Foreign Office, 5th June*, 1866.

THE French Ambassador has read to me to-day a despatch from M. Drouyn de Lhuys, dated yesterday, on the subject of the answer returned by the Austrian Government to the Invitation

to a Conference, which had been addressed to it by the Governments of England, France, and Russia.

M. Drouyn de Lhuys observes that, by excluding any fresh Territorial Arrangements the Cabinet of Vienna precludes the Conference from entertaining the question of the Italian dispute; that by reason of the Declaration made at Frankfort by Austria on the 1st June, the question of the Elbe Duchies is equally withdrawn from discussion in the Conference, inasmuch as it is transferred to the Diet; and that the remaining question of Federal Reform, which would have been treated of in Conference from its bearing, first, on the differences between Austria and Prussia, and, secondly, on the general interest of the Balance of Power, is not of itself of sufficient importance to warrant the Convocation of a Conference.

The French Government, under these circumstances, concur with those of England and Russia in considering that it would be of no advantage to open the Conference; they are deeply grieved at the disappointment of the hopes which they had placed in its result; they do full justice to the readiness with which Italy and Prussia have accepted the Invitation of the 3 Powers; they desire to record the high opinion they entertain of the frankness and sincerity of the British Government, which so greatly contributed to the establishment of an understanding between the 3 Powers; and they take exactly the same view as the British Government of the incident which has compelled them to suspend their efforts to bring about a discussion which they trusted would have conduced to the reconciliation of the Powers now in Arms and to the maintenance of Peace.

I am, &c.,
CLARENDON.

*Earl Cowley.*

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(21.) *Circular to Her Majesty's Ministers at the German Courts and Berne.*

*Abandonment of proposed Congress for the Preservation of the Peace of Europe.*

(Extract.) *Foreign Office, 5th June*, 1866.

It is with the utmost regret that I have to acquaint you that looking to the Reserves made by the Cabinet of Vienna in announcing its readiness to attend the proposed Conference at Paris,

it has appeared hopeless to anticipate any good result from such a meeting of the Plenipotentiaries of the several Powers, and therefore the project has been altogether abandoned.

Her Majesty's Government do not feel called upon to pronounce any judgment on the course that the Austrian Government has pursued in this matter. But they cannot do otherwise than feel the greatest regret that apparently the last expedient for preserving the Peace of Europe has been renounced without a trial, and that there remains nothing more for the Neutral Powers at the present moment to do than to look on with sorrow at the misery and ruin by which it is probable that some of the fairest countries in Europe will be overwhelmed.

But though disappointed at the failure of their recent endeavours, in conjunction with France and Russia, at all events to retard for a time the breaking out of War, while conscious of having used their utmost exertions for that purpose, Her Majesty's Government will not abandon the hope that the experience of its evils may in a short time render all those who are engaged in it more disposed to lay aside extreme pretensions and ambitious views, and to accept with sincerity the Good Offices of friendly Powers for the settlement of differences and for the reconciliation of animosities. Her Majesty's Government will be at all times ready to contribute to the utmost of their ability, and with entire singleness of purpose, to the adjustment, not only of the questions which now divide the litigant States, but of any others which may arise between them in the prosecution of Hostilities.

It is the earnest desire of Her Majesty's Government that all such differences should be settled between States without a recourse to War.

CLARENDON.

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(22.) *The Earl of Clarendon to the British Representatives at Vienna, Berlin, Florence, and Frankfort.*

*Causes which led to the Abandonment of the proposed Congress for the Preservation of the Peace of Europe.*

Sir, *Foreign Office, 8th June*, 1866.

THE Austrian Ambassador has communicated to me a despatch from his Court in reply to the Invitation which you, in conjunction with your colleagues of France and Russia, ad-

dressed to the Austrian Government to attend a Conference at Paris, having for its object to devise means for maintaining the Peace of Europe.

The Prussian Ambassador and the Italian Minister have made known to me in the same manner the replies of their respective Courts; and Her Majesty's Envoy at Frankfort has reported to me the result of his communication on the subject with the Diet of the Germanic Confederation.

It is unnecessary for me to comment severally on these answers, which, with one exception, would have realised the object which the Governments of England, France, and Russia sought to obtain by their invitations, and would have admitted of a free deliberation between the neutral and the dissident Powers that might have resulted in an amicable understanding in regard to all points of difference by which the latter are divided.

Unfortunately the decision of Austria to subject her entrance into the Conference to the acceptance by the other Powers of a Preliminary Condition, which would have eliminated from discussion one of the topics most fraught with danger to the general Peace, and her further decision to make over to the German Confederation, so far as she was concerned, the solution of another most vital question, debarred the Conference from entering upon two out of the three matters for the settlement of which it was proposed it should assemble; and it has appeared, therefore, to the Governments of England, France, and Russia, useless to open a discussion upon the third alone, which only partially affected the general interests of Europe.

Under these circumstances Her Majesty's Government could not hesitate to concur with the Governments of France and Russia in the inutility of proceeding further with the proposed Conference, and it only remains for me to instruct you to announce to the Government to which you are accredited that it is abandoned.

But in making this communication, and in expressing the regret of Her Majesty's Government at the disappointment of the expectations which Europe might have entertained of a successful issue of the Conference, you will add that Her Majesty's Government will not abandon the hope that, at no distant day, recourse may be had to the friendly intervention of Neutral and disinterested Powers for restoring the good understanding now

unfortunately interrupted; and that in that case Her Majesty's Government will be found disposed to exert to the utmost their Good Offices in the cause of Conciliation and of Peace.

I am, &c.,

CLARENDON.

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NOTE.—In September, 1855 (during the Crimean War), the Emperor of the French proposed to the British Government that in any further discussions which might arise for the re-establishment of Peace, the condition of Poland should be considered, and His Majesty appealed to the Treaties of 1815.

The British Government replied (22nd September, 1855), that "without entering into any engagement, or binding themselves to any particular course of action, it would be sufficient for England and France to agree generally upon the principle involved in this question, and to determine that future events should, as far as practicable, be turned to account in favour of Poland; and that, although the People of England and France were well disposed towards Poland, and would gladly learn that the wrongs of that unfortunate Country were redressed, yet it might well be doubted whether they would for that object consent indefinitely to prolong the War, and whether the two Governments would not lose the support of public opinion in carrying on the War if it became known that the re-constitution of Poland were made a condition *sine quâ non* of Peace."

At the close of the Conferences of Paris in 1856, the Earl of Clarendon, in a Despatch to Viscount Palmerston (15th April, 1856) stated as follows:—"Since the commencement of the Conferences, I have not failed to bear in mind the deep interest which Her Majesty's Government have always taken in the condition of Poland; and I have been most anxious to bring that question before the Congress in order to obtain some expression of opinion on the subject from that Body, or some assurance from the Representatives of the Emperor of Russia that His Majesty intended to adopt a more conciliatory Policy towards his Polish Subjects;" and he concluded his Despatch by stating that the Russian Plenipotentiary (Count Orloff) had declined "to make any declaration respecting Poland;" but had said "that the Emperor had determined to do everything that had been suggested, and that the Amnesty would be comprehensive; that he wished to signalise his Coronation by these and other Acts of Grace, but that their good effect would be destroyed if His Majesty's intentions were declared beforehand; and that, if he (Lord Clarendon) persisted in bringing the matter before the Congress, he should be compelled to give an unfavourable answer, and to say that Foreign Intervention would probably lead to a postponement or a diminution of the favours which His Majesty meant to bestow on his Polish Subjects."

Under those circumstances Count Walewski and Lord Clarendon agreed that the more prudent course would be not to bring forward the question in the Congress.

**No. 378.**—*PRUSSIAN DECLARATION of the Necessity for the Invasion of Hanover, Hesse-Cassel, and Saxony. Berlin, 16th June,* 1866.

(Translation.)

THE Confederation having been dissolved by the Resolution of the 14th (**No. 376**), and Prussia finding herself threatened with War, the duty of self-preservation required that the Country was secured against neighbouring States. Prussia on the 15th June proposed to Saxony, Hanover, and Hesse-Cassel an Alliance founded on Unarmed Neutrality, with the condition of the Convocation of a German Parliament with the object of securing Peace. At the same time Prussia promised to those States the Guarantee of the state of Possession and their Sovereignty.

The 3 above-mentioned States have declined the offer.

The Geographical position of Prussia not admitting that it should tolerate in those Countries either an open or concerted Hostility during a War carried on elsewhere, the Royal Troops have this morning passed the Frontier in the 3 directions in order to prevent their being attacked behind whilst they are defending themselves against Austria.

It is reported that the Hesse-Cassel and Hanoverian Governments have stopped the Railways and Telegraph Lines in their States. On the Express Train which passed this night through Hanover was a detachment of Pioneers to execute, it is said, the order to destroy the Hanoverian Railroad on the Frontiers of Brunswick.

Those proceedings show more clearly than any other how impossible it is for Prussia, at the time of being threatened with War by Austria, to allow at its rear as doubtful neighbours, those Countries which separate the two parts of the Monarchy, and who Arm in conformity with the Federal Resolution voted by the enemies of Prussia.

After the Hanoverian Government had offered, in its Note of the 14th May, 1866, to conclude a Treaty of Neutrality with Prussia, after Prussia had officially accepted that offer, but that Hanover had not kept her promise and had pronounced against Prussia by her Vote relative to the Mobilisation of the German

Contingents, it was impossible for Prussia to act otherwise than she has done.

The Hanoverian Government will be responsible towards their Country, for having rejected the means of an Arrangement so amicably offered of concluding a Treaty of Neutrality with Prussia, who would at the same time have guaranteed the Possessions and Sovereignty of Hanover, and of preferring the Austrian Alliance.

His Majesty's Government have instructed the Royal Legations to state, in the first instance, by Notes to the Powers which signed the Act of Congress of 9th June, 1815 (**No. 27**), the breaking up of the Federal Act (**No. 26**), and consequently of Articles LIV and LXIII of those European Treaties, in which that Act has been reproduced, and afterwards to communicate that Act to all the other Powers.

Public Organs announce that His Highness Duke Ernest of Coburg holds an eminent position among the Princes who intend to defend the Rights of Prussia. We fulfil our duty in announcing that fact, and in stating that Duke Ernest expressed himself with as much decision as firmness against the Austrian proposal of Mobilisation.

Many Ratepayers offer to the Government to pay their Contributions for one year and more in advance, and to place at their disposal Capital without Interest so long as the War lasts. His Majesty has gratefully appreciated these proofs of devotion and patriotic feelings. It would not be in conformity with the interests of the State to reject such patriotic offers, and the Tax Officers have received the necessary orders to receive the Contributions and the Capital offered without interest.

## No. 379.—*AUSTRIAN MANIFESTO of War with Prussia and Italy. Vienna, 17th June, 1866.*

(Translation.)

WHILE engaged in a work of Peace, which was undertaken for the purpose of laying the foundation for a Constitution which should augment the unity and Power of the Empire, and at the same time secure to my several Countries and Peoples free internal development, my duties as a Sovereign have obliged me to place my whole Army under arms.

On the Frontiers of my Empire, in the south and in the north, stand the Armies of two enemies who have allied with the intention of breaking the power of Austria as a great European State.

To neither of those enemies have I given cause for War. I call on an Omniscient God to bear witness that I have always considered it my first, my most sacred duty, to do all in my power to secure for my Peoples the blessings of Peace.

One of the Hostile Powers requires no excuse. Having a longing to deprive me of parts of my Empire, a favourable opportunity is for him a sufficient cause for going to War, which nothing justifies.

As for the Prussian Arms, which now threaten to invade our Northern Frontier, hardly two years have elapsed since a part of my faithful and heroic Army undertook with them, as Allies, a campaign on the borders of the Black Sea.

I had accepted that union of Arms with Prussia in order to preserve Rights founded on Treaties, to protect a threatened German Population, and to limit within the narrowest bounds the evils of an inevitable War.

By that Alliance of the Two Great Powers of Central Europe, to whom the task of preserving Peace had devolved, I intended to obtain Guarantees of a lasting Peace to the great advantage of my Empire, of Germany, and of Europe.

Conquests I never sought, and I have never allowed the

slightest doubts of my intentions to be held, either by my brothers in Arms, or by Europe.

Disinterested on the conclusion of the Alliance with Prussia, I have remained faithful to that feeling.

When shortly after the conquest of the Elbe Duchies new preparations for War were made, even when it was no longer a secret to any one that an understanding had been come to amongst my enemies, the object of which could only be an attack on my Empire, I did not then abandon the hope of preserving Peace, and faithful to my duties as a Sovereign, I showed myself ready to make every Concession compatible with honour and the happiness of my Peoples.

I did not, however, fail to perceive that prolonged hesitation would make it difficult efficiently to repel an attack from without and would endanger the security of the Empire.

Then only did I resign myself to the cruel Sacrifices inseparable upon putting an Army on the War footing.

To the specific assurances given by my Government to the reiterated Declarations that I was ready to proceed with Prussia to a reciprocal and simultaneous Disarmament, what did the Cabinet of Berlin answer?

It made counter-propositions which, if they had been accepted, were tantamount to a total forgetfulness of the duties imposed upon me, and to the honour and safety of my Empire.

Prussia demanded a previous and complete Disarmament, not only in so far as concerned herself, but also towards Italy, whose armed forces threatened my States in the South, and for whose Pacific Intentions no Guarantee was or could be offered.

The negotiations with Prussia in respect to the Elbe Duchies clearly proved that a settlement of the question in a way compatible with the dignity of Austria, and with the rights and interests of Germany and the Duchies, could not be brought about, as Prussia was violent and intent on conquest. The negotiations were therefore broken off, the whole affair was referred to the Bund, and at the same time the Legal Representatives of Holstein were convoked.

The danger of War induced the 3 Powers—France, England, and Russia—to invite my Government to participate in General Conferences, the object of which was to be the maintenance of Peace (**No. 377**). My Government, in accordance with my views, and, if possible, to secure the blessing of Peace for my peoples, did

not refuse to share in the Conferences, but made their acceptance dependent on the confirmation of the supposition that the Public Law of Europe and the existing Treaties were to form the basis of the attempt at Mediation, and that the Powers represented would not seek to uphold special interests which could be prejudicial to the Balance of Power in Europe and to the rights of Austria. The fact that the attempt to mediate failed because these natural suppositions were made, is a proof that the Conferences could not have led to the maintenance of Peace.

The recent events clearly prove that Prussia substitutes open violence for right and justice.

The rights and the honour of Austria, the rights and the honour of the whole German Nation, are no longer a barrier against the inordinate ambition of Prussia. Prussian Troops have entered Holstein, the Estates convoked by the Imperial Stadtholder have been violently dissolved, the Government of Holstein, which the Treaty of Vienna (**No. 367**) gives to Austria and Prussia in common, has been claimed for Prussia alone, and the Austrian Garrison has been obliged to give way to a force ten times as strong as itself.

When the German Bund, which saw in the measure no infraction of the Federal Laws, accepted the Austrian proposition to "mobilize" the Federal Troops, Prussia, who prides herself on being the defender of the interests of Germany, resolved to complete the work she had begun. Violently severing the tie which unites the German races, Prussia announced her Secession from the Bund (**No. 376**), required from the German Governments the acceptance of a so-called project of Reform, which in reality is a division of Germany, and now she employs Military Force against those Sovereigns who have faithfully discharged their Federal Duties.

The most pernicious of Wars, a War of Germans against Germans, has become inevitable, and I now summon before the tribunal of History—before the tribunal of an Eternal and all-powerful God, those persons who have brought it about, and make them responsible for the misfortunes which may fall on individuals, families, districts, and countries.

I decide upon fighting, confident in the goodness of my cause and upheld by the feeling of the inherent power of a great Empire, and in which the Prince and the People are united in one

and the same idea, in one and the same hope, those of defending the Rights of Austria.

At the sight of my valiant Armies, so ready for the fight, which form the bulwark, the rampart against which the forces of the enemy will dash themselves to pieces, I feel my courage and my confidence redoubled, and I can but feel a good hope when I meet the gaze of my faithful Peoples, united and determined, and their ready devotion for every sacrifice.

The pure flame of patriotic enthusiasm strives with the same intensity throughout my Empire. At the first call, the soldiers on furlough immediately joined their standards; volunteers enrol themselves in special Regiments; the whole population able to bear Arms in the threatened Provinces fly to arms, and with the noblest self-denial they all strive to lessen the evils of War, and to provide for the wants of the Army.

But one feeling animates the Inhabitants of my Kingdoms and Provinces: they feel the ties which unite them, the strength which comes from Union.

At this serious, but at the same time such an edifying moment, I doubly regret that the understanding on the constitutional questions are not sufficiently advanced to admit of my assembling the Representatives of all my Kingdoms around my Throne; actually deprived of that prop, my duty as a Sovereign is only the clearer, and my resolution to secure for ever the Constitutional Rights of my Empire can but be strengthened.

We shall not be alone in the struggle which is about to take place. The Princes and Peoples of Germany know that their Liberty and Independence are menaced by a Power which listens but to the dictates of egotism and is under the influence of an ungovernable craving after aggrandizement; and they also know that in Austria they have an upholder of the Freedom, Power, and Integrity of the whole of the German Fatherland. We and our German brethren have taken up Arms in defence of the most precious Rights of Nations. We have been forced so to do, and we neither can nor will disarm until the internal development of my Empire and of the German States which are allied with it has been secured, and also their power and influence in Europe.

My hopes are not based on unity of purpose or power alone. I confide in an Almighty and just God, whom my House from its

very foundation has faithfully served, a God who never forsakes those who righteously put their trust in Him. To Him I pray for assistance and success, and I call on my Peoples to join me in that prayer.

Given at my Residence of Vienna, the Capital of my Empire, 17th June, 1866.

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[Great Britain proclaimed its Neutrality in this War on the 27th June, 1866.]

## No. 380.—*PRUSSIAN MANIFESTO of War with Austria. Berlin, 18th June, 1866.*

(Translation.)

To my People.

At the moment of the departure of the Prussian Army for a decisive struggle, I feel called upon to speak to my People, to the Sons and Grandsons of the brave Fathers to whom, a century ago, my Father, who rests in God, addressed these memorable words:

"The Country is in danger!"

Only a few years since, of my free will, and ignoring all previous injuries, I gave the Emperor of Austria a friendly hand, when there was an intention of delivering up a German Country to Foreign Dominion.

From blood shed in common, I was in hopes that an Alliance based upon mutual esteem and furthering the prosperity and power of Germany would issue from the Austrian and Prussian brotherhood in arms. I have been deceived. Austria will not forget that her Princes formerly reigned over Germany; and will not consider Prussia as her natural ally, but as a hostile rival.

In her opinion, Prussia must be opposed in all its tendencies, because that which is beneficial to Prussia is objectionable to Austria.

The old and fatal jealousy has been revived: Prussia must be weakened, destroyed, dishonoured; Treaties have no longer any value. Not only are the Princes of the Germanic Confederation called upon, but they are drawn into a breach of the Confederation. Wherever we cast our eyes in Germany, we are surrounded by enemies whose War cry is the humiliation of Prussia. But the spirit of 1813 lives in the Prussian People.

Who shall wrest from us an inch of Prussian Territory if we are firmly resolved to keep the Conquests of our Fathers—if the King and the People, united more firmly than ever by the dangers of the Country, consider as their first and most sacred duty to give their possessions and their blood to preserve her honour?

In the foresight, full of solicitude of what has just happened, I was obliged for years past, as the first duty of my Royal func-

tions, to prepare the civil portion of the Prussian People for a great development of power.

Like myself, every Prussian will confidently cast his eyes upon the armed force which defends our Frontiers.

With their King at their head, the Prussian Nation will truly feel itself a People in Arms.

Our opponents deceive themselves if they imagine Prussia to be paralysed by dissensions at home. Before the enemy these disappear, and all hitherto opposed to one another stand henceforth united in triumph or misfortune.

I have done everything to save Prussia from the expenses and sacrifices of a War; my People know it; God also knows it, He who searches our hearts.

Up to the last moment I have striven, in conjunction with France, Great Britain, and Russia, to come to an amicable arrangement (**No. 377**).

Austria refused, and other German States have openly sided with her.

Let it then be so!

It is not my fault if my People are forced to maintain a difficult struggle, and perhaps to bear hard trials; but no other choice was left.

We are compelled to fight for existence. We must go forth to battle for life or death against those who wish to humiliate the Prussia of the great Elector, of the great Frederic, of the Prussia such as she has come out of the War of Independence, from the position to which the spirit of her Princes, the bravery, devotedness, and morality of her People have raised her.

Let us implore the Almighty, He who rules the destinies of Peoples and Battles, that He may bless our Arms.

If God give us the victory, we shall be strong enough to reunite more firmly and more prosperously those loosened ties of Germany which they who fear the right and the power of the national spirit have torn asunder.

WILLIAM.

*Berlin*, 18*th June*, 1866.

## No. 381.—*ITALIAN MANIFESTO of War with Austria. 19th June*, 1866.

(Translation.)

SEVEN years have already passed since Austria attacked my States (**No. 293**) because I had supported the common cause of the Country in the Councils of Europe, and had not been insensible to the cries of anguish which arose from every part of oppressed Italy.

I took up the sword to defend my Throne, the liberty of my People, the honour of the Italian name, and to fight for the right of the Nation. Victory was in favour of good right. The valour of the Army, the aid of the Volunteers, the concord and wisdom of the People, and the assistance of a magnanimous Ally, gained the almost complete Independence and Liberty of Italy. Supreme reasons which we were obliged to respect prevented us from at that time accomplishing that just and glorious enterprise. One of the noblest Provinces of the Peninsula remained in the hands of Austria, notwithstanding its heroic resistance and continual protest against Foreign Dominion rendered them especially dear and sacred to us. Though sorrowful at heart, I abstained from troubling Europe, which desired Peace, and sympathised in the foundation and the increase of my Kingdom.

My Government occupied itself with improving the work of interior organisation, with opening sources of public prosperity, and with fortifying the Country by land and by sea, in order that Italy, placed in a position not to dread an attack, should find in the consciousness of her strength reasons for a watchful prudence, awaiting the moment in which, with the assistance of the opinion of civilised nations, and the principles of a wise liberality which prevailed in the Councils of Europe, a favourable opportunity should arise of delivering Venetia,* of accomplishing and insuring her Independence.

Although waiting was not without danger nor without sorrow, within Frontiers badly defined and disarmed, under the constant threats of the Enemy, who had for a long period accumulated in the Provinces submitted to her sway formidable preparations of attack and defence; notwithstanding the distressing spectacle of the treatment inflicted on the miserable populations which she

* The Lombardo-Venetian Kingdom was ceded by Austria to Italy by the Treaty signed at Prague, 23rd August, 1866.

had acquired by conquest and an iniquitous division, I nevertheless knew, for the sake of European tranquillity, how to suppress my feelings as an Italian and King, and the just impatience of my Peoples. I knew how completely to preserve the right of securing the life and the destiny of the Nation when the time arrived. I knew how to preserve intact the dignity of the Crown and of Parliament, in order that Europe might understand what was due to Italy.

Austria, suddenly reinforcing her Troops upon our Frontier, and provoking us by her hostile and threatening attitude, has come to disturb the pacific task undertaken to complete the organisation of the Kingdom and to alleviate the great sacrifices imposed upon my Peoples by the presence of the enemy on the National Territory.

I have replied to that unjustifiable provocation by again taking up Arms, and you have afforded a sight grand and dear to me, by the promptness and the enthusiasm with which you have hastened to join the glorious ranks of my Army and Volunteers.

Nevertheless, when friendly Powers endeavoured to settle the difficulties by a Congress, I gave a last pledge of my feelings to Europe, and hastened to accept the proposal (**No. 377**). Austria again refused, this time rejecting negotiations and all argument, affording thus a fresh proof that if she confides in her strength she does not rely equally upon the goodness of her cause and of her right. You also, Italians, may trust in your strength, looking with pride upon your valiant Army and strong Navy, but you may rely still more firmly upon the sacredness of your right, the triumph of which is henceforth infallible. We are supported by the judgment of public opinion and by the sympathy of Europe, which knows that Italy, independent and secure in her Territory, will become a guarantee for Peace and Order, and will henceforth be a powerful instrument of universal civilisation.

Italians! I hand over the Government of the State to the Prince of Carignan, and again take up the eagles of Goito and Pastrengo, of Palestro and San Martino. I feel that I shall accomplish the vows made at the tomb of my high-minded father.

I wish to be once more *The first soldier of Italian Independence.*

Long live Italy!

RICASOLI. VICTOR EMMANUEL.

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[Great Britain proclaimed its Neutrality in this War on the 27th June, 1866.]

## No. 382.—*ITALIAN DECLARATION of War against Austria. Cremona, 20th June*, 1866.

THE Empire of Austria has been for Centuries past the principal cause of the division, the subjection, and the incalculable moral and material wrongs of Italy. Now that the Nation is constituted, Austria withholds recognition, and continues to oppress one of our noblest Provinces, transforming it into a vast intrenched camp, in order to menace our existence, rendering our internal and external political development impossible.

The counsels and efforts of the friendly Powers with Austria were useless, and it was inevitable that Austria and Italy should again find themselves face to face in the first European complication.

The initiative taken by Austria, in armaments, and her rejection of the pacific propositions of the Neutral Powers, proved her hostile designs (**No. 377**). The People of Italy have risen up from one extremity of the Peninsula to the other, and it is for these reasons that the King, the guardian of his People's rights and the defender of the Integrity of the National Territory, declares War to the Empire of Austria.

I notify to your Imperial Highness the order of the King that Hostilities will commence within 3 days hence unless your Highness does not accept this delay, in which case I beg you to be good enough to inform me to that effect.

ALFONSO LA MARMORA.

*To His Highness the Prince of Carignan.*

## No. 383.—*PRELIMINARY TREATY OF PEACE between Austria and Prussia. Signed at Nikolsburg, 26th July*, 1866.*

ART. TABLE.

Preamble.
1. *Austrian* Territory to remain intact, with the exception of the *Lombardo-Venetian* Kingdom. Withdrawal of *Prussian* Troops.
2. Dissolution of the *Germanic Confederation*. Formation of *North German* Confederation and a *South German* Union.
3. *Schleswig* and *Holstein* to be transferred to *Prussia*, except northern part to be retroceded to *Denmark* on certain Conditions.
4. *Austria* to pay War Expenses to *Prussia*.
5. Territorial State of the Kingdom of *Saxony*. *Austria* to recognise New Organisation of *North Germany*.
6. Preliminaries of Peace and Armistice to be recognised by King of *Italy*.
7. Ratifications.
8. Peace to be concluded on basis of Preliminary Treaty.
9. Armistice to be concluded between *Austria* and *Saxony* and *Prussia*. Conclusion of Armistice with other States.

(Translation.)

THEIR Majesties the Emperor of Austria and the King of Prussia, animated with the desire of restoring the benefits of Peace to their Countries, have for that purpose, and in order to settle the Preliminaries of Peace, appointed Plenipotentiaries, that is to say:

His Majesty the Emperor of Austria, the Count Aloisius Karolyi, and the Baron Adolphus von Brenner-Felsach;

And His Majesty the King of Prussia, Otho, Count von Bismarck-Schönhausen, his President of the Council and Minister for Foreign Affairs;

Who, after exchanging their Full Powers, which were found in good and due form, have agreed upon the following fundamental points as the basis of the Peace to be concluded without delay.

*Austrian Territory to remain intact, with the exception of the Lombardo-Venetian Kingdom. Withdrawal of Prussian Troops.*

ART. I. With the Exception of the Lombardo-Venetian Kingdom,† the Territory of the Austrian Monarchy remains intact. His Majesty the King of Prussia engages to withdraw his

* See Treaty of Peace, signed at Prague, 23rd August, 1866.

† The Lombardo-Venetian Kingdom was ceded by Austria to Italy by the Treaty of Prague of 23rd August, 1866.

Troops from the Austrian Territories occupied by them as soon as the Peace shall be concluded, under reservation of the arrangements to be made upon the definite conclusion of the Peace for guaranteeing the payment of the War Indemnity.

*Dissolution of the Germanic Confederation. Formation of North German Confederation and a South German Union.*

ART. II. His Majesty the Emperor of Austria recognises the Dissolution of the Germanic Confederation as it has existed hitherto (**No. 26**), and consents to a new organisation of Germany without the participation of the Empire of Austria. His Majesty likewise promises to recognise the closer Union which will be founded by His Majesty the King of Prussia, to the north of the line of the Main, and he declares that he consents to the German States south of that line entering into a Union, the national relations of which, with the North German Confederation, are to be the subject of an ulterior agreement between the two Parties.*

*Schleswig and Holstein to be transferred to Prussia except Northern part to be retroceded to Denmark on certain Conditions.*

ART. III. His Majesty the Emperor of Austria transfers to His Majesty the King of Prussia all the Rights which the Treaty of Vienna of 30th October, 1864 (**No. 367**), recognised as belonging to him over the Duchies of Schleswig and Holstein, with this reservation, that the people of the Northern Districts of Schleswig shall be again united to Denmark if they express a desire to be so by a vote freely given.

*Austria to pay War Expenses of Prussia.*

ART. IV. His Majesty the Emperor of Austria undertakes to pay His Majesty the King of Prussia the sum of 40,000,000 thalers to cover a part of the Expenses which Prussia has been put to by the War. But from this sum may be deducted the amount of the Indemnity for the costs of War which His Majesty the Emperor of Austria still has the right of exacting from the Duchies of Schleswig and Holstein, by virtue of Article XII of the Treaty of Peace of 30th October, 1864 (**No. 367**), before cited, say 15,000,000 thalers, with 5,000,000 in addition, as the equivalent of the cost of providing for the Prussian army, maintained by the Austrian Countries occupied by that army until the time of the conclusion of the Peace.

* See Treaty between Austria and Prussia of 23rd August, 1866, Article IV.

*Territorial State of the Kingdom of Saxony.*

ART. V. In conformity with the wish expressed by His Majesty the Emperor of Austria, His Majesty the King of Prussia declares his willingness to let the Territorial State of the Kingdom of Saxony continue in its present extent, when the modifications are made which are to take place in Germany; reserving to himself, however, to regulate in detail, by a special Peace with His Majesty the King of Saxony, the questions as to Saxony's part in the expenses of the War, as well as the future position of the Kingdom of Saxony in the North German Confederation.*

*Austria to recognise New Organisation of North Germany.*

On the other hand, His Majesty the Emperor of Austria promises to recognise the New Organisation which the King of Prussia will establish in the North of Germany, including the Territorial modifications consequent thereon.†

*Preliminaries of Peace and Armistice to be recognised by King of Italy.*

ART. VI. His Majesty the King of Prussia undertakes to prevail upon His Majesty the King of Italy, his Ally, to give his approval to the Preliminaries of Peace and to the Armistice based on those Preliminaries, so soon as the Venetian Kingdom shall have been put at the disposal of His Majesty the King of Italy by a Declaration of His Majesty the Emperor of the French.‡

*Ratifications.*

ART. VII. The Ratifications of the present Convention shall be exchanged at Nikolsburg in the space of two days at the latest.

*Peace to be concluded on Basis of Preliminary Treaty.*

ART. VIII. Immediately after the Ratification of the present Convention shall have been effected and exchanged, their Majesties the Emperor of Austria and the King of Prussia will appoint Plenipotentiaries, who will meet at a place to be hereafter named, to conclude the Peace upon the Basis of the present Preliminary Treaty, and to agree upon the details of the conditions.

*Armistice to be concluded between Austria and Saxony and Prussia.*

ART. IX. For that purpose the Contracting States, after

* See Treaty of 21st October, 1866.

† See Treaty of 23rd August, 1866, Article IV; and Constitution of 14th June, 1867.

‡ See Treaty of 23rd August, 1866, Article II.

having decided upon these Preliminaries, will conclude an Armistice for the Austrian and Saxon armies on the one part, and for the Prussian army on the other part, of which the detailed conditions, from the military point of view, are to be immediately determined. That Armistice shall date from the 2nd of August, the day to which the present Suspension of Arms shall be prolonged.

*Conclusion of Armistice with other States.*

The Armistice shall, at the same time, be concluded with Bavaria, and General the Baron von Manteuffel will be instructed to conclude with the Kingdom of Wurtemberg and the Grand Duchies of Baden and Hesse-Darmstadt, as soon as those States shall propose it, an Armistice beginning on the 2nd August, and founded on the state of military possession at the time.

In faith whereof the respective Plenipotentiaries have signed the present Convention, and to it have affixed the Seals of their Arms.

Done at Nikolsburg, 26th July, 1866.

(L.S.) KOROLYI.
(L.S.) BRENNER.

*Accessories.*

| | |
|---|---|
| Baden.. .. .. .. | 13th August, 1866 |
| Bavaria .. .. .. | 17th August, 1866 |
| Hesse-Darmstadt .. .. | 22nd August, 1866 |
| Saxe-Meiningen .. .. | 8th October, 1866 |
| Saxony .. .. .. | 21st October, 1866 |
| Wurtemberg .. .. .. | 13th August, 1866 |

[A Convention of Armistice was concluded between Austria and Prussia at Vienna on the 26th July, 1866; and another Convention between the Austrian and Italian Military Commissioners on the 12th August, 1866.]

## No. 384.—*TREATY OF PEACE between Prussia and Wurtemberg.* Signed at Berlin, 13th August, 1866.*

ART. TABLE.

Preamble.
1. Peace and Friendship.
2. War Indemnity to be paid by *Wurtemberg* to *Prussia.*
3. Guarantee for Payment of the Indemnity.
4. Discount on earlier payment of Indemnity.
5. Withdrawal of *Prussian* Troops from *Wurtemberg.*
6. Property belonging to former *Germanic Confederation.*
7. Renewal of *Zollverein* Treaties.
8. Appointment of a Commission to regulate Railway Traffic. Establishment of New Railway Communications.
9. Accession of *Wurtemberg* to Preliminary Treaty of 26th July, 1866.
10. Ratifications.

(Translation.)

THEIR Majesties the King of Wurtemberg and the King of Prussia, desirous of insuring to their people the blessings of Peace, have determined to come to an agreement upon the stipulations of a Treaty of Peace to be concluded between them.

For this purpose their Majesties have named as their Plenipotentiaries :

The King of Wurtemberg, the Minister of the Household and of Foreign Affairs, Baron Charles von Varnbüler, of Hemmingen, &c.; and the Minister of War, Lieutenant-General Oscar von Hardegg, &c.;

The King of Prussia, the President and Minister of Foreign Affairs, Count Otto von Bismarck-Schönhausen, &c.; and the Privy Councillor Chamberlain and Envoy, Charles Frederick von Savigny, &c.

These Plenipotentiaries after exchanging their Powers, which were found in good order, have agreed upon the following stipulations:

*Peace and Friendship.*

ART. I. Between His Majesty the King of Wurtemberg and His Majesty the King of Prussia, their Heirs and Successors, their States and Subjects, there shall be Peace and Friendship henceforth for ever.

* A Treaty of Alliance was signed on the same day.

*War Indemnity to be paid by Wurtemberg to Prussia.*

ART. II. His Majesty the King of Wurtemberg binds himself to pay to His Majesty the King of Prussia within two months the sum of 8,000,000 florins, for the purpose of covering a part of the expenses incurred by Prussia in the War.

By the payment of this sum, His Majesty the King of Wurtemberg frees himself from the obligations for damages incurred by him by §§ 9 and 10 of the Armistice Treaty, dated 1st August, 1866, at Eisingen, near Würzburg.

*Guarantee for Payment of the Indemnity.*

ART. III. His Majesty the King of Wurtemberg gives a Guarantee for the payment of this sum by the deposit of $3\frac{1}{2}$ per cent. and 4 per cent. Wurtemberg State Obligations to the amount of the sum to be guaranteed. These papers are to be reckoned at the exchange of the day and the Guarantee sum is to be raised 10 per cent.

*Discount on earlier Payment of Indemnity.*

ART. IV. His Majesty the King of Wurtemberg is at liberty to pay the whole or part of the above Indemnity earlier with a discount of 5 per cent. per annum.

*Withdrawal of Prussian Troops from Wurtemberg.*

ART. V. As soon as the Guarantee is given, according to Article III, or the payment of the War Indemnity is made, the King of Prussia will withdraw his Troops from the Wurtemberg Territory. The provisioning of the Troops during their Withdrawal will be made in accordance with the existing Federal Regulations.

*Property belonging to former Germanic Confederation.*

ART. VI. The apportionment of the Property belonging to the former Germanic Confederation is reserved for Special Arrangement.

*Renewal of Zollverein Treaties.*

ART. VII. The High Contracting Powers will enter into negotiations for the arrangement of the Zollverein question as soon as Peace is concluded. In the meantime the Zollverein Treaty of 16th May, 1865, and the Conventions connected therewith, which

became inoperative by the outbreak of War, shall again come into force on the day of the exchange of the Ratifications of this present Treaty, with the condition that each of the High Contracting Powers may give 6 months' notice of its cessation.

*Appointment of a Commission to regulate Railway Traffic.*

ART. VIII. The High Contracting Powers, as soon as Peace is restored in Germany, will cause the meeting of a Commission for the purpose of establishing the passenger and goods Traffic of the Railways on a proper basis; especially to regulate the state of competition in a proper manner; and to oppose such efforts of separate Boards as are injurious to the general interests of traffic.

*Establishment of New Railway Communications.*

Inasmuch as the High Contracting Powers are agreed that the establishment of all New Railway communications conducive to the general interest is to be allowed and as far as possible promoted; they will cause the above-named Commission to lay down principles most advantageous to the general interests of traffic in this respect.

*Accession of Wurtemberg to Preliminary Treaty of 26th July, 1866.*

ART. IX. His Majesty the King of Wurtemberg acknowledges the conditions of the Preliminary Treaty of Nicolsburg of 26th July, 1866 (**No. 383**), between Prussia and Austria, and, as far as the future of Germany is concerned, accedes to the same.

*Ratifications.**

ART. X. The Ratifications of the present Treaty shall take place at the latest on the 21st August this year.

In witness whereof the above-mentioned Plenipotentiaries have this day signed and affixed their Seals to this Treaty in duplicate.

Done at Berlin, 13th August, 1866.

(L.S.) VARNBULER. (L.S.) v. BISMARCK.
(L.S.) HARDEGG. (L.S.) v. SAVIGNY.

* Ratifications were exchanged at Berlin, in August, 1866.

**No. 385.**—*MESSAGE from the King of Prussia to the Landtag, for their sanction to the Annexation of Hanover,* Hesse-Cassel, Nassau, and Frankfort† to Prussia. Berlin, 16th August,* 1866.‡

ANNEX. TABLE.

1. Draft of a Law for Uniting the Kingdom of *Hanover,* the Electorate of *Hesse,* the Duchy of *Nassau,* and the Free Town of *Frankfort,* with the Prussian Monarchy.
2. Reasons for the Draft of Law for the Annexation of the Kingdom of *Hanover, &c.*
3. Royal Authority to the President of the Landtag to bring before it the Draft of a Law for the Annexation of *Hanover, &c.*

(Translation.)

WE, William, by the Grace of GOD, King of Prussia, &c., hereby declare and make known:

The Governments of the Kingdom of Hanover, of the Electorate of Hesse, and of the Duchy of Nassau, as well as the Free Town of Frankfort, have by their participation in the hostile conduct of the former Diet placed themselves in a state of open War with Prussia. They declined the Neutrality as well as the Alliance repeatedly offered to them by Prussia, even at the last moment, under the promise of a Guarantee of the Integrity of their Territory; they took an active part in the War of Austria against Prussia, and appealed to the decision of War for themselves and their Countries. This decision, according to GOD's decree, has been against them. Political necessity obliges us not to restore to them the power of government, of which they have been deprived by the victorious advance of our army.

The aforesaid countries could, in case they maintained their Independence, cause, from their geographical position, difficulties and obstructions, by a hostile or even doubtful attitude of their Governments towards Prussian policy and military action, far surpassing the extent of their actual power and importance. Not

* The King of Hanover protested against this Annexation on the 23rd September, 1866.

† The Inhabitants of Frankfort protested against the Annexation of their Territory to Prussia on the 24th September, 1866.

‡ The Landtag gave its sanction to the Annexation of these States to Prussia, by a Decree, dated 20th September, 1866.

from a desire of acquiring Territory, but from a feeling of duty to protect our inherited States from a recurrence of the danger, to give a broader and surer foundation to the national reorganization of Germany, the necessity arises for us to unite for ever with our monarchy the Kingdom of Hanover, the Electorate of Hesse, the Duchy of Nassau, and the Free Town of Frankfort.

We know very well that only a part of the people of those States share with us the conviction of this necessity. We respect and honour the feelings of loyalty and devotion which bind the Inhabitants of those Countries to their Princely Houses and to their Independent Political Institutions, but we trust that the lively share in the progressive development of the National Commonweal, together with an indulgent attention to special legal interests, will facilitate the inevitable transition into the new and more extensive community.

We call on the Houses of the Landtag to give their constitutional sanction to the contemplated Union, and for this purpose send them the accompanying draft of law.

Berlin, 16th August, 1866.

(L.S.) WILLIAM.

v. BISMARCK and 7 others.

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(ANNEX I.)—*Draft of a Law for Uniting the Kingdom of Hanover, the Electorate of Hesse, the Duchy of Nassau, and the Free Town of Frankfort, with the Prussian Monarchy.*

(ANNEX II.)—*Reasons for the Draft of Law for the Annexation of the Kingdom of Hanover, &c.*

(ANNEX III.)—*Royal Authority to the President of the Landtag to bring before it the Draft of a Law for the Annexation of Hanover, &c.—Berlin, 16th August*, 1866.

## No. 386.—*TREATY OF PEACE between Prussia and Baden. Signed at Berlin, 17th August,* 1866.

ART. TABLE.

Preamble.
1. Peace and Friendship.
2. Indemnity to *Prussia* towards Expenses of the War.
3. Guarantee for Payment.
4. Discount on earlier payment of Indemnity.
5. Withdrawal of *Prussian* Troops from *Baden*. Provisioning of Troops.
6. Property belonging to former *Germanic Confederation*.
7. Renewal of *Zollverein* Treaties.
8. Appointment of a Commission to regulate Railway Traffic. Establishment of New Railway Communications.
9. Abolition of Navigation Dues on the *Rhine*.
10. Accession of *Baden* to Preliminary Treaty of 26th July, 1866.
11. Ratifications.

(Translation.)

HIS Royal Highness the Grand Duke of Baden, and His Majesty the King of Prussia, actuated by the desire of securing to their subjects the blessings of Peace, have determined to come to an agreement as to the clauses of a Treaty of Peace to be concluded between them, and, for this purpose, have appointed as Plenipotentiaries:

The Grand Duke of Baden, his President of the Department of the Household and of Foreign Affairs, Rudolf von Freydorf, &c.;

The King of Prussia, his President of the Council and Minister for Foreign Affairs, Count Otto von Bismarck-Schönhausen, &c.

These Plenipotentiaries having exchanged their Full Powers, and found them in good order, have agreed upon the following clauses:

*Peace and Friendship.*

ART. I. Peace and friendship shall henceforth subsist between His Royal Highness the Grand Duke of Baden, and His Majesty the King of Prussia, their Heirs and Successors, their States and subjects for ever.

*Indemnity to Prussia towards Expenses of the War.*

ART. II. His Royal Highness the Grand Duke of Baden en-

gages to pay to His Majesty the King of Prussia the sum of 6,000,000 florins within two months, towards covering part of he costs incurred by Prussia in the War.

By payment of this sum, the Grand Duke of Baden relieves himself of the compensation obligations undertaken by him in § 7 of the Armistice Convention signed at Würzburg, 1st August, 1866.

*Guarantee for Payment.*

ART. III. As a pledge for the payment of this sum the Grand Duke of Baden will deposit Baden State Bonds, or furnish the Guarantee of the administration of the Discount Company here.

*Discount on earlier Payment of Indemnity.*

ART. IV. His Royal Highness the Grand Duke of Baden retains the right of paying the above-mentioned sum in part, or wholly, at an earlier date, at a discount of 5 per cent. per annum.

*Withdrawal of Prussian Troops from Baden.*

ART. V. Immediately after the Guarantee is given, in accordance with Article III, or after the payment of the War Contribution has been made, the King of Prussia will withdraw his Troops from Baden Territory.

*Provisioning of Troops.*

The Provisioning of the Troops during their withdrawal shall be according to the hitherto existing scale of the Confederation.

*Property belonging to former Germanic Confederation.*

ART. VI. The Apportionment of Federal Property belonging to the former Germanic Confederation is reserved for a Special Agreement.

*Renewal of Zollverein Treaties.*

ART. VII. The High Contracting Parties will enter into negotiations for the settlement of the Zollverein relations immediately after the conclusion of the Peace. In the meantime the Zollverein Union Treaty of 16th May, 1865, and the Conventions connected therewith, which have been rendered inoperative by the outbreak of the War, shall again come into operation from the day th

Ratifications of this present Treaty are exchanged, with the understanding that it remains reserved to either of the High Contracting Parties to allow them to lapse after a notification of 6 months.

*Appointment of a Commission to regulate Railway Traffic.*

ART. VIII. Immediately after the restoration of Peace in Germany, the High Contracting Parties will cause a meeting of Commissioners to agree upon rules for the furtherance of passenger and goods Traffic upon the Railways as much as possible, especially to regulate the relations of competition in a suitable manner, and to oppose the efforts of individual companies disadvantageous to the public interests of traffic.

*Establishment of New Railway Communication.*

Since the High Contracting Parties are agreed that the establishment of every new Railway line conducive to the public advantage is to be permitted and supported as fully as possible, they will also have the principles demanded by the general interests in this respect laid down by the aforesaid Commissioners.

*Abolition of Navigation Dues on the Rhine.*

ART. IX. The High Contracting Parties will from the 1st January, 1867, entirely abolish the levying of Navigation Dues on the Rhine, both in respect to the ship dues—Tariff B of the Convention of 31st March, 1831 (**No. 151**),—and also to duties on Lading—Additional Articles XVI and XVII of the Convention of 31st March, 1831, in so far as the remaining Rhine States simultaneously adopt the same measures.

*Accession of Baden to Preliminary Treaty of 26th July, 1866.*

ART. X. His Royal Highness the Grand Duke of Baden recognises the arrangements made by the Preliminary Treaty concluded between Prussia and Austria, at Nikolsburg, on the 26th July, 1866 (**No. 383**), and accedes thereto upon his part also, so far as they affect the future of Germany.

*Ratifications.**

ART. XI. The Ratification of this present Treaty shall take place at latest by the 21st August this year.

* Ratifications exchanged at Berlin, in August, 1866.

In witness whereof the above-named Plenipotentiaries have signed the same this day in duplicate, and appended their Seals.

Done at Berlin, 17th August, 1866.

(L.S.) VON FREYDORF. (L.S.) VON BISMARCK.

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[A Treaty of Offensive and Defensive Alliance was signed between Baden and Prussia on the 17th August, 1866; a General Treaty of Offensive and Defensive Alliance between Prussia, Saxe-Weimar, Oldenburg, Brunswick, Saxe-Altenburg, Saxe-Coburg-Gotha, Anhalt, Schwartzburg-Rudolstadt, Schwartzburg-Sondershausen, Waldeck and Pyrmont, Reuss-Schleitz, Schaumburg-Lippe, Lippe, Lubeck, Bremen, and Hamburgh, was signed on the 18th August, 1866;* a Treaty of Offensive and Defensive Alliance was signed between Prussia and Mecklenburg-Schwerin and Mecklenburg-Strelitz on the 21st August, 1866; and a Treaty between Prussia and Reuss-Greitz, for the Accession of Reuss to the Treaty of Alliance of 18th August, 1866, was also signed at Berlin on the 26th September, 1866.]

* Referred to in Treaties of 8th and 21st October, 1866.

# No. 387.—*TREATY OF PEACE between Bavaria and Prussia. Signed at Berlin, 22nd August*, 1866.

ART. TABLE.

Preamble.
1. Peace and Friendship.
2. War Indemnity to be paid by *Bavaria* to *Prussia*.
3. Guarantee for the payment of Indemnity.
4. Withdrawal of *Prussian* Troops from *Bavaria*.
5. Accession of *Bavaria* to Preliminary Treaty of 26th July, 1866.
6. Special Agreement to be made relative to Property-Relations.
7. Renewal of *Zollverein* Treaty.
8. Renewal of Treaties, &c.
9. Appointment of Railway Commission.
10. Abolition of Navigation Dues on the *Rhine*. Abolition of Navigation Dues on the *Main*.
11. Telegraphs within *North German Confederation* to pass over to *Prussia*.
12. Archives of *Nuremberg* and *Brandenburg* to be given to *Prussia*.
13. Right of *Dusseldorf* Gallery of Paintings, to be decided by Arbitration.
14. Cessions by *Bavaria* to *Prussia*. Appointment of Boundary Commissioners. Transfer of Territory.
15. Delivery of Property of Private Railways.
16. Release of Prisoners of War.
17. Bonds taken at *Kissingen* to be restored to *Bavaria*.
18. Ratifications.

## *Appendix I.*

Boundary of Territory to be ceded by *Bavaria* on the *Rhön* Mountains in *Lower Franconia*.

Boundary of Territory to be ceded by *Bavaria* in the *Orber-Reisig* in *Lower Franconia*.

## *Appendix II.—Protocol.*

Regulation of Boundaries ceded to *Prussia* in the Districts of *Orb* and *Gersfeld*, and the Enclave of *Caulsdorf*.

(Translation.)

THEIR Majesties the King of Bavaria and the King of Prussia, led by the desire of securing to their people the blessings of Peace, have determined to agree upon the stipulations of a Treaty of Peace, to be concluded between them: for that purpose their Majesties have appointed as their Plenipotentiaries, that is to say:

His Majesty the King of Bavaria, his Minister of State for the Royal Household and for Foreign Affairs, Lewis Baron von

der Pfordten, &c.; and his Envoy Extraordinary and Minister Plenipotentiary to the Imperial Court of Austria, Otto Count von Bray-Steinburg, Minister of State, out of service, and Hereditary Councillor of the Empire, &c.;

His Majesty the King of Prussia, his Minister President and Minister for Foreign Affairs, Count Otto von Bismarck-Schönhausen; and his Actual Privy Councillor, Chamberlain, and Envoy, Charles Frederick von Savigny.

Who, after exchanging their Full Powers, which were found in good order, have agreed upon the following Treaty stipulations:

*Peace and Friendship.*

ART. I. There shall henceforth be Peace and Friendship for ever between His Majesty the King of Bavaria and His Majesty the King of Prussia, their Heirs and Successors, their States and Subjects.

*War Indemnity to be paid by Bavaria to Prussia.*

ART. II. His Majesty the King of Bavaria undertakes to pay to His Majesty the King of Prussia the sum af 30,000,000 florins, in silver thalers or silver bars, to cover part of the expenses which Prussia has been put to by the War. 10,000,000 of that sum are to be paid at the exchange of the Ratifications of the present Treaty, with the allowance of a discount on two months, at the rate of 5 per cent. per annum; 10,000,000 within 3 months; and 10,000,000 within 6 months after the Ratification. The last two instalments will bear interest at the rate of 5 per cent. from the beginning of the third month after the Ratification.

*Guarantee for the Payment of Indemnity.*

ART. III. His Majesty the King of Bavaria will Guarantee the Payment of the aforesaid sum by the deposit either of 6 per cent. Bavarian Treasury Orders, or Bavarian or Wurtemberg State Bonds and Bills of Exchange of the first houses, on the Bank of Nuremberg, bearing the endorsement of the Royal Marine Department. The $3\frac{1}{2}$ per cent. State Bonds will be reckoned at the rate of 70, the 4 per cent. at 80, the $4\frac{1}{2}$ per cent. at 90, the 5 per cent. at 95.

*Withdrawal of Prussian Troops from Bavaria.*

ART. IV. After the Ratification of the present Treaty, the

2nd Royal Prussian Reserve Corps will begin its retreat from Bavaria, and will evacuate the Bavarian Territory as quickly as possible. Immediately after the Guarantee has been given in accordance with Article III, or after payment of the War Indemnification, His Majesty the King of Prussia will withdraw all the rest of his Troops from the Bavarian Territory, and they will leave that Territory as quickly as possible. The Maintenance of the Troops on their retreat is to be provided for according to the Federal Regulations on the subject hitherto in force.

*Accession of Bavaria to Preliminary Treaty of 26th July*, 1866.

ART. V. His Majesty the King of Bavaria recognises the stipulations of the Preliminary Treaty, concluded between Prussia and Austria at Nikolsburg, on the 26th July, 1866 (**No. 383**), and accedes to them on his part also, in so far as they affect the future of Germany.

*Special Agreement to be made relative to Property Relations.*

ART. VI. The arrangement of the Property Relations founded by the late Germanic Confederation is reserved for Special Agreement.

*Renewal of Zollverein Treaties.*

ART. VII. The High Contracting Parties will enter into negotiations for the Regulation of the Zollverein Affairs immediately after the conclusion of the Peace. In the meantime, the Customs Union Treaty of 16th May, 1865, and the Conventions connected therewith, which have become inoperative by the outbreak of the War, shall come again into operation from the date of the exchange of the Ratifications of the present Treaty, with the condition that it is reserved for each of the High Contracting Parties to put an end to the operation thereof after a notice of 6 months.

*Renewal of Treaties, &c.*

ART. VIII. All other Treaties and Conventions concluded between the High Contracting Parties before the War are hereby again brought into force.

*Appointment of Railway Commission.*

ART. IX. Immediately after the restoration of Peace in Germany the High Contracting Parties will cause a meeting of Com-

missioners to agree upon rules adapted for the greatest possible promotion of the passenger and goods Traffic upon the Railways, and especially to regulate competition, and to oppose the efforts of some Boards that are injurious to the interests of traffic in general. As the High Contracting Parties are agreed that the execution of every new connecting line of Railway, founded on the general interest, should be allowed, and so far as feasible promoted, they will have such principles as are required by the general interests of Traffic laid down by the aforesaid Commissioners in that respect also.

*Abolition of Navigation Dues on the Rhine.*

ART. X. The High Contracting Parties will entirely stop, from the 1st January, 1867, the levy of the Navigation Dues on the Rhine, and also that of the Ship Duty, Tariff B, annexed to the Convention of 31st March, 1831 (**No. 151**), as well as that of the Toll on the cargo (Additional Articles XVI and XVII to the Convention of 31st March, 1831), in so far as the other German States bordering on the Rhine shall, at the same time, adopt the same measures.

*Abolition of Navigation Dues on the Main.*

The High Contracting Parties undertake the like obligation in regard to the still existing Navigation Dues on the Main.

*Telegraphs within North German Confederation to pass over to Prussia.*

ART. XI. The Bavarian Telegraph stations situated within the Territory of the North German Confederation pass over to Prussia. The withdrawal of the said stations, as well as the Bavarian Telegraph station at Mentz, will take place within 6 weeks, at farthest, from the date of the exchange of the Ratifications of the present Treaty. The working material of these Telegraphs remains the property of Bavaria.

*Archives, &c., of Nuremberg and Brandenburg to be given to Prussia.*

ART. XII. The Documents and Records now in the Royal Bavarian Archives at Bamberg, which have special and exclusive reference to the former Burgraves of Nuremberg, and the Mar-

graves of Brandenburg of the Frankish line, and which are to be specified by Commissioners, will be delivered over to Prussia.

*Right to Dusseldorf Gallery of Paintings to be decided by Arbitration.*

ART. XIII. As Claims have been made on the part of Prussia to the right of Property in the Gallery of Paintings formerly at Dusseldorf, and afterwards taken to Munich, the High Contracting Parties are willing to submit those Claims to Arbitration. For this purpose Bavaria will name 3 German Courts of Appeal, of which Prussia will specify the one that has to make the Award.

*Cessions by Bavaria to Prussia.*

ART. XIV. As a regulation of Frontier has been found requisite for the preservation of strategical interests and those of traffic, His Majesty the King of Bavaria cedes the district of Gersfeld and a district round Orb, according to the annexed description of the Boundaries, as well as the enclave of Caulsdorf, situated between Saalsfeld and the Prussian circle of Ziegenrück, to His Majesty the King of Prussia.*

*Appointment of Boundary Commissioners.*

Immediately after the exchange of the Ratifications of the present Treaty, the High Contracting Parties will appoint Commissioners to undertake the regulation of the Frontier.

*Transfer of Territory.*

The Transfer of the aforesaid portions of Territory is to take place within 4 weeks after the Ratification of this Treaty.

*Delivery of Property of Private Railways.*

ART. XV. Immediately after the Ratification of this Treaty, all material taken away or withheld from the State and Private Railways will be released, and delivered, if necessary, at Hof, Lichtenfels, or Aschaffenburg.

*Release of Prisoners of War.*

ART. XVI. All Prisoners of War will be released at Hof or Aschaffenburg within 8 days after the exchange of the Ratifications of the present Treaty, and will be sent there free of expense.

* See next page.

The Release of the Sick or Wounded is to take place as soon as they are cured.

Officers will be stationed by both parties at Hof and Aschaffenburg, as long as may be necessary for the delivery and reception.

*Bonds taken at Kissingen to be restored to Bavaria.*

ART. XVII. The Bonds to the amount of 33,000 florins, taken by the Royal Prussian troops from the Fellowship chest at Kissingen, a society for assisting poor salt-workers, will be immediately returned to the Royal Bavarian Government, or made good.

*Ratifications.**

ART. XVIII. The Ratification of the present Treaty is to take place, at latest, within 12 days from this date, and the cessation of Arms, as well as the validity of the Line of Demarcation agreed to, shall be prolonged for that time.

In witness whereof the Plenipotentiaries mentioned at the beginning have signed their names and affixed their Seals to this Treaty, in duplicate, to-day.

Done at Berlin, 22nd August, 1866.

(L.S.) BARON v. d. PFORDTEN. (L.S.) v. BISMARCK.
(L.S.) CO. v. BRAY-STEINBURG. (L.S.) v. SAVIGNY.

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APPENDIX I. – To Article XIV.

Portions of Territory to be ceded by Bavaria:

| | |
|---|---|
| I. District of Gersfeld (number of inhabitants according to the census of December, 1846) .. .. .. | 23,361 |
| II. Jurisdiction of Orb without Aura .. .. .. | 9,109 |
| | 32,470 |

*Boundary of Territory to be ceded by Bavaria on the Rhön Mountains in Lower Franconia.*

To Art. I. Boundary Line of the Territory to be ceded in Lower Franconia, on the north-west slope of the Rhön mountains.

The Northern, Eastern, and Western Boundaries of this Terri-

* Ratifications exchanged at Berlin, 3rd September, 1866.

tory correspond, from Altenhof to Querenberg, with the late Bavarian Frontier.

The South-east and Southern Boundary of the Territory is formed by the Boundary Line of the late Bavarian district of Gersfeld. This leads from Querenberg over the Stürnberg, and from the north and west foot of the Heidelstein to the Himmeldankberg, over the high Rhön, and from hence westward, over the Eyerhack and Rabensteinberg, the Dammersfeld-Kuppenrain, the Dalherdakuppe to the Schluppberg, along the north margin of the Schlupp forest to the Döllenbach, and terminates on the right bank thereof, running upwards to the Bavarian Frontier.

*Boundary of Territory to be ceded by Bavaria in the Orber-Reisig in Lower Franconia.*

To Art. II. Boundary Line of the portion of Territory to be ceded in the Orber-Reisig, in Lower Franconia:

The North, West, and Southern Boundaries of the Territory correspond with the late Bavarian Frontier. The Eastern Boundary is formed by the Eastern Boundaries of the Communes of Mernes, Burgjoss (with the exception of the hamlet of Deutelbach), Oberndorf, and Pfaffenhausen, so that the eastern half of the Forest district of Burgjoss remains on the Bavarian side.

The new Frontier, therefore, begins at the Boundary of the Joss Forest, north-east of the Rosskopf, passes over the Königsberg and Schönberg into the Aura Vale; north of the same over the Steiniger, Hanauer, and Stramiger-berg, and reaches the former Frontier south of Stackenberg.

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## Appendix II.—*PROTOCOL.*

*Regulation of Boundaries ceded to Prussia in the Districts of Orb and Gersfeld, and the Enclave of Caulsdorf.*

With reference to the regulation of Boundaries stipulated in Article XIV of the Treaty of Peace of this day's date, the undersigned Plenipotentiaries have agreed upon the following points:

1. In the Districts of Orb and Gersfeld, as well as in the Enclave Caulsdorf, the Prussian State enters upon all the rights and obligations of the Bavarian State, and therefore has to pay the Pensions and Salaries as they have been hitherto paid.

The Officials and Servants who are to pass over with the afore-

said Districts will have the amount of all their Emoluments guaranteed to them if they remain in the Royal Prussian service.

But if they go back to Bavaria, which they are at liberty to do within the next 3 months after the Ratification of this Treaty, they will be treated, until their re-employment, according to the regulations of the Bavarian service and the Ordinances bearing thereon. Military persons born in the said Districts, who have not the rank of Officers, will be discharged from the Bavarian army and sent home. The time which they have served in the Bavarian forces will be allowed to them in their liability to Prussian service. Officers, as well as military persons having the rank of Officers, have the right of choosing which country's service they will continue in.

2. The Commissioners mentioned in Article XIV of the Treaty of Peace, will undertake all matters connected with the regulation of the Boundaries, such as the Archives, the arrears of public Taxes, and other matters of that kind.

3. Complete freedom of expatriation to Bavaria during a year from the date of the exchange of the Ratifications of this Treaty, is reserved to all the inhabitants of the portions of Territory to be ceded.

4. As Prussia undertakes the Telegraphic Service of the Grand Duchy of Hesse, she assures to the Royal Bavarian Government the right to its own direct connection with the Palatinate of the Rhine according to its necessities, whereupon Bavaria withdraws the Telegraph Stations she has hitherto had in the Grand Duchy of Hesse.

5. In consequence of the Cession of the District round Orb, the Royal Prussian Government will put an end to the difficulties which on the part of Electoral Hesse have hitherto prevented the execution of the ratified Treaty for the dissolution of the Joint Dominion of Bavaria and Electoral Hesse.

6. In so far as the War Costs Indemnity, stipulated in Article II, shall be paid in bars of silver, the High Contracting Parties will reckon the pound of fine silver at 29 thalers, 25 silver groschen.

Free carriage will be allowed in the Prussian Territory for the coined and uncoined silver intended for the discharge of the War Costs Indemnity.

7. The Royal Bavarian Government consents that the Royal Prussian troops now in Wurtemberg shall march back through

Bavaria; their maintenance is to be provided according to the Federal regulations on the subject hitherto observed.

8. With reference to the Troops formerly belonging to Nassau and Electoral Hesse, which are still in Bavarian Territory, the following arrangements have been made.

The said Troops will be sent back to their native districts by Bavaria as soon as possible; they have to place themselves under the orders of the Prussian Generals in command so soon as they reach the Prussian line of demarcation, and the Prussian Government bears the cost of their homeward march.

9. During the retreat of the Royal Prussian Army from the Austrian Territory which it occupies, Bavaria will place the Pilsen-Hof-Schwandorf railway at its disposal for the requisite military transports, for which, of course, Prussia will pay the full remuneration.

The Royal Bavarian Government will send orders to the Governor of the Fortress of Mentz, Count von Rechberg, to deliver up the Fortress on the 26th of this month, to a Governor who will be appointed by His Majesty the King of Prussia, and to leave the Fortress himself, with the Royal Bavarian Troops, on the same day.

10. No Subject of their Majesties will be prosecuted, molested, or obstructed in his person or property, on account of his conduct during the War.

The Ratification of the foregoing Convention shall be considered as effected by the Ratification of the Treaty of Peace of this day.

Done at Berlin, 22nd August, 1866.

BARON v. D. PFORDTEN. v. BISMARCK.
COUNT v. BRAY. SAVIGNY.

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[A Treaty of Offensive and Defensive Alliance between Bavaria and Prussia was also signed at Berlin, on the 22nd August, 1866.]

# No. 388.—*TREATY OF PEACE between Austria and Prussia. Signed at Prague, 23rd August*, 1866.

ART. TABLE.

Preamble. Reference to Preliminaries of Peace of 26th July, 1866.
1. Peace and Friendship.
2. Accession of *Austria* to Declaration of *French* Ambassador of 29th July, 1866, respecting cession of *Venice* to *Italy*. Union of the *Lombardo-Venetian* Kingdom with that of *Italy*. Debts.
3. Prisoners of War.
4. Dissolution of *Germanic Confederation*. Assent of *Austria* to her exclusion from New Organisation of *Germany*, and to the formation of a North German Confederation.
5. Transfer by *Austria* to *Prussia* of all rights over Duchies of *Holstein* and *Schleswig*, acquired by Treaty of 30th October, 1864, on condition of Populations of Northern Districts of *Schleswig* being ceded to *Denmark*, if, by free vote, they should express a wish to be united to *Denmark*.
6. Existing Territorial condition of *Saxony* to remain as before. Special Treaty to be concluded between *Prussia* and *Saxony* respecting expenses of the War, and future position of *Saxony* in *North German Confederation*.
7. Appointment of Commission to determine as to disposal of late Federal Property.
8. Disposal of Imperial Property in Federal Fortresses.
9. Pensions to Officials and others. Pensions to Officers, &c., of former *Schleswig-Holstein* Army to be paid by *Prussia*.
10. Pensions granted by *Austria* in *Holstein*. Restoration by *Austria* of *Danish* State Bonds. Non-molestation for Political conduct during the War.
11. War Indemnity to be paid by *Austria* to *Prussia*.
12. *Prussian* Evacuation of *Austrian* Territories.
13. Renewal of Treaties. Proposed Abrogation of Monetary Convention of 24th January, 1857. *Zollverein* Treaty of 11th April, 1865, to be revised.
14. Ratifications.

Protocol respecting the delivery of the Prisoners of War, and the Evacuation of the Imperial Royal *Austrian* Territory by the Royal *Prussian* Troops.

(Translation.)

*Reference to Preliminaries of Peace of 26th July*, 1866.

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of Austria and His Majesty the King of Prussia, animated with the desire of restoring to their countries the benefits of Peace, have determined to convert the Preliminaries signed at Nikolsburg, on the 26th July, 1866

(**No. 383**), into a Definitive Treaty of Peace, and for that purpose their Majesties have appointed as their Plenipotentiaries, that is to say:

His Majesty the Emperor of Austria, the Baron Adolphus Maria von Brenner-Felsach, his actual Privy Councillor and Chamberlain, Envoy Extraordinary and Minister Plenipotentiary, &c.; and

His Majesty the King of Prussia, the Baron Charles von Werther, his Chamberlain, actual Privy Councillor and Plenipotentiary, &c.;

Who met together in Conference at Prague, and after exchanging their Full Powers, which were found in good and proper form, agreed upon the following Articles:

*Peace and Friendship.*

ART. I. There shall be Peace and Friendship between His Majesty the Emperor of Austria and His Majesty the King of Prussia, and between their heirs and successors, as well as between their respective States and subjects, henceforth and for ever.

*Accession of Austria to Declaration of French Ambassador of 29th July, 1866, respecting Cession of Venice to Italy. Union of the Lombardo-Venetian Kingdom with that of Italy. Debts.*

ART. II. For the purpose of carrying out Article VI of the Preliminaries of Peace concluded at Nikolsburg on the 26th July, 1866 (**No. 383**), and as His Majesty the Emperor of the French officially declared through his accredited Ambassador to His Majesty the King of Prussia, on the 29th July, 1866, "qu'en ce qui concerne le Gouvernement de l'Empereur, la Vénétie est acquise à l'Italie pour lui être remise à la Paix,"*— His Majesty the Emperor of Austria also accedes on his part to that Declaration and gives his consent to the Union of the Lombardo-Venetian Kingdom with the Kingdom of Italy, without any other burdensome condition than the liquidation of those Debts which, being charged on the Territories ceded, are to be recognised in accordance with the precedent of the Treaty of Zurich (**No. 301**).

*Prisoners of War.*

ART. III. The Prisoners of War shall be set at liberty immediately on both sides.†

* Translation.—"That in so far as regards the Government of the Emperor, Venetia is secured to Italy, to be made over to her at the Peace."

† See Protocol, p. 1726.

*Dissolution of the Germanic Confederation. Assent of Austria to her exclusion from New Organisation of Germany, and to the formation of a North German Confederation.*

ART. IV. His Majesty the Emperor of Austria acknowledges the dissolution of the Germanic Confederation* as hitherto constituted, and gives his consent to a new organisation of Germany without the participation of the Imperial Austrian State. His Majesty likewise promises to recognise the more restricted Federal relations which His Majesty the King of Prussia will establish to the north of the line of the Main; and he declares his concurrence in the formation of an Association of the German States situated to the south of that line, whose national connection with the North German Confederation is reserved for further arrangement between the parties, and which will have an independent international existence.†

*Transfer by Austria to Prussia of all rights over Duchies of Holstein and Schleswig, acquired by Treaty of 30th October, 1864, on condition of Populations of Northern Districts of Schleswig being ceded to Denmark, if, by free vote, they should express a wish to be united to Denmark.*

ART. V. His Majesty the Emperor of Austria transfers to His Majesty the King of Prussia all the rights which he acquired by the Vienna Treaty of Peace of 30th October, 1864 (**No. 367**), over the Duchies of Holstein and Schleswig, with the condition that the populations of the Northern Districts of Schleswig shall be ceded to Denmark if, by a free vote, they express a wish to be united to Denmark.

*Existing Territorial condition of Saxony to remain as before. Special Treaty to be concluded between Prussia and Saxony respecting expenses of the War, and future position of Saxony in North German Confederation.*

ART. VI. At the desire of His Majesty the Emperor of Austria,

* At the sitting of the German Diet of 14th June, 1866, Prussia formally declared the Germanic Confederation to be dissolved, which Declaration was protested against by the President of the Diet at the same sitting, as being contrary to Art. V of the Vienna Congress Treaty of 9th June, 1815. See also Prussian Declaration of 14th June, 1866, p. 1652.

† The Constitution of the North German Confederation was promulgated on the 14th June, 1867; but it was altered by the German Constitution of 16th April, 1871.

His Majesty the King of Prussia declares his willingness to let the present Territorial condition of the Kingdom of Saxony remain to the same extent as before, in the alterations which are about to be made in Germany; but he reserves to himself the right of arranging the contribution of Saxony to the expenses of the War, and the future position of the Kingdom of Saxony in the North German Confederation, by a special Treaty to be concluded with His Majesty the King of Saxony.*

On the other hand, His Majesty the Emperor of Austria promises to recognise the new arrangements that will be made by His Majesty the King of Prussia in North Germany, including the Territorial alterations.

*Appointment of Commission to determine as to disposal of late Federal Property.*

ART. VII. For the purpose of making arrangements respecting the late Federal Property, a Commission will meet at Frankfort-on-the-Main within 6 weeks at farthest from the Ratification of this Treaty, to which Commission all claims and demands on the German Confederation are to be sent in, and they will be liquidated within 6 months. Austria and Prussia will send Representatives to that Commission, and all the other late Federal Governments are at liberty to do the same.

*Disposal of Imperial Property in Federal Fortresses.*

ART. VIII. Austria has the right of removing or otherwise disposing of the Imperial Property in the Federal Fortresses, and the part of the movable Federal Property belonging to Austria, according to specification; the same is the case with all the movable effects of the Confederation.

*Pensions to Officials and others.*

ART. IX. The Pensions to which the regular Officials, Servants, and Pensioners of the Confederation are entitled, or which have already been granted, will be secured to them *pro rata* of the register.

*Pensions to Officers, &c., of former Schleswig-Holstein Army to be paid by Prussia.*

The Royal Prussian Government, however, undertakes the Pensions and Allowances hitherto paid out of the Federal matri-

* See Treaty of 21st October, 1866.

culation fund to the Officers of the former Schleswig-Holstein Army and their survivors.

*Pensions granted by Austria in Holstein.*

ART. X. The persons interested in the Pensions granted by the Imperial Royal Austrian Lieutenancy in Holstein will still be allowed to draw them.

*Restoration by Austria of Danish State Bonds.*

The sum of 449,500 thalers of Danish currency in 4 per cent. Danish State Bonds, which is still in the custody of the Imperial Royal Austrian Government, and which belongs to the Holstein Treasury, will be restored to it immediately after the Ratification of the present Treaty.

*Non-molestation for Political conduct during the War.*

No one belonging to the Duchies of Holstein and Schleswig, and no subject of their Majesties the Emperor of Austria and the King of Prussia will be prosecuted, molested, or obstructed in his person or property on account of his Political conduct during the late events and the War.

*War Indemnity to be paid by Austria to Prussia.*

ART. XI. His Majesty the Emperor of Austria undertakes to pay to His Majesty the King of Prussia the sum of 40,000,000 Prussian thalers, to cover part of the expenses which Prussia has been put to by the War. From that sum is however to be deducted the amount of the War expenses which His Majesty the Emperor of Austria has still to demand from the Duchies of Schleswig and Holstein, according to Article XII of the aforesaid Treaty of Vienna of the 30th October, 1864 (**No. 367**), to the extent of 15,000,000 Prussian thalers, as well as a further sum of 5,000,000, as an equivalent for the free maintenance which the Prussian Army is to have in those parts of the Austrian Territories which it occupies, until the conclusion of Peace; so that there only remain 20,000,000 to be paid in ready money.

One-half of that sum is to be settled when the Ratification of the present Treaty takes place, the second half 3 weeks later at Oppeln in cash.

*Prussian Evacuation of Austrian Territories.*

ART. XII. The Evacuation of the Austrian Territories held by the Royal Prussian troops shall be completed within 3 weeks after the exchange of the Ratifications of the Treaty of Peace. From the day of the exchange of the Ratifications the Prussian General Governments will confine their functions to the purely military sphere of operations.

The special stipulations according to which the Evacuation is to take place are settled in a separate Protocol which forms an Appendix to the present Treaty.*

*Renewal of Treaties. Proposed Abrogation of Monetary Convention of 24th January, 1857.*

ART. XIII. All the Treaties and Conventions concluded between the High Contracting Parties before the War are hereby again brought into force, in so far as they by their nature, must not lose their effect by the dissolution of the relations of the Germanic Confederation. The General Cartel Convention between the German Federal States, of the 10th February, 1831, together with the supplementary stipulations belonging thereto, will especially retain its validity between Austria and Prussia. The Imperial Royal Austrian Government declares, however, that the Monetary Treaty concluded the 24th January, 1857, loses its most essential value for Austria by the dissolution of the German Federal relations, and the Royal Prussian Government declares its willingness to enter into negotiations with Austria and the other participators in that Treaty for the abrogation thereof.

*Zollverein Treaty of 11th April, 1865, to be revised.*

In like manner, the High Contracting Parties reserve to themselves to enter into a negotiation as soon as possible for the Revision of the Commercial and Customs Treaty of the 11th April, 1865, for the further facilitation of their reciprocal traffic. Meanwhile the said Treaty shall again come into force, on the condition that each of the High Contracting Parties reserves the right of putting an end to its operation after 6 months' notice.

*Ratifications.*†

ART. XIV. The Ratifications of the present Treaty shall be

* See next page.

† Ratifications exchanged at Prague, 30th August, 1866.

exchanged at Prague within the space of 8 days, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the present Treaty, and have affixed to it the Seals of their Arms.

Done at Prague, on the 23rd day of the month of August, in the year of Grace, 1866.

(L.S.) BRENNER. (L.S.) WERTHER.

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APPENDIX.

PROTOCOL *respecting the delivery of the Prisoners of War, and the Evacuation of Austrian Territory by Prussian Troops.*

FOR the execution of Articles III and XII of the Treaty of Peace concluded this day, the High Contracting Parties have agreed upon the following stipulations:

1. On the 3rd day after the Ratification of the Treaty all the Royal Prussian Prisoners of War, and from the same day the Imperial Royal Austrian Prisoners of War, will be delivered up at Austrian Oderberg (railway station) in echelons of about 1,000 men each, which are to follow on the successive days (not more than 6 echelons within 24 hours).

2. The Royal Prussian Prisoners of War who are in the Bohemian Fortresses and in Olmütz, are to be delivered, so soon as the account of the Ratification of this Treaty reaches those Fortresses, to the nearest division of the Royal Prussian troops.

3. Commissioners from both Armies will be stationed at Austrian Oderberg, to attend to the delivery, so far as it takes place at Oderberg, and to arrange jointly for the railway transport to the south.

On the Imperial Royal Austrian side a detachment of troops of about 200 men will be stationed at Austrian Oderberg for the reception and care of the Prisoners.

4. Prisoners of War who are too unwell to be removed are to remain in the Hospitals on both sides with the regular treatment and maintenance of the native troops, until they can be delivered up at Oderberg.

5. The expenses arising from the attendance upon the sick Prisoners of War left behind will be liquidated and defrayed on

both sides, from the third day after the Ratification, at the regular rates for hospital attendance in both armies.

6. For the accomplishment of the Evacuation of the Imperial Royal Austrian territories which is to be effected within 3 weeks after the Ratification of this Treaty, the tract south of the line of Napagedl, Brünn, Iglau, Tabor (exclusive of those places), will be evacuated on the Royal Prussian side on the 7th day, and all the country lying south of the Pilsen-Prague-Littau railway line, and beyond a straight line from Littau to the mouth of the Oppa in the Oder, on the 15th day after the Ratification.

For all possible acceleration of this Evacuation the time between the signing and the Ratification of this Treaty will be employed on the Royal Prussian side in preparatory measures.

7. The Imperial Royal Austrian troops during the time of evacuation, will, in re-occupying the country, keep themselves at a distance of 3 miles from the rear of the Royal Prussian columns. The times of retreating on each line of march are therefore left to the arrangement of the Commanders on both sides.

8. On the Imperial Austrian side the use of the railway line leading by Pilsen to the Kingdom of Bavaria, will be allowed for the Royal Prussian military transports for the purpose of evacuating Bohemia.

9. During the time of evacuation the Royal Prussian army will retain the unrestricted control over the railway lines within the ranges which it occupies, for sending back troops and war materials, under application of the Convention dated Brünn, the 1st August, 1866, and definitively concluded on the 17th August. It is settled as a rule that even during the evacuation there shall be a train in each direction for public traffic every day on all the railways; only unforeseen interruptions of the military transports can justify any departure from this rule for the particular day.

10. From the day following the Ratification the Royal Prussian Government undertakes all the expenses of maintenance for the Royal Prussian troops, which however are to have free quarters without maintenance in the territories which they occupy. The local authorities are bound to provide the relays required by the Royal Prussian troops, for which the troops are to pay immediately in ready money according to the Imperial Royal Austrian Tariff for relays now in force. That tariff is in the possession of the national and local authorities.

11. The sick of the Royal Prussian army who cannot be removed are to remain in the military hospitals or local infirmaries, under the superintendence and treatment, so far as necessary, of the Royal Prussian military physicians. The Imperial Royal Austrian Government promises to make arrangements for the most careful treatment of those left behind, and for complying as far as possible with the necessary requisitions of the physicians for the treatment of the sick.

12. Before the evacuation the Royal Prussian Commanders will send in to the Imperial Royal Lieutenancies of Bohemia, Moravia, and Silesia, through the Royal Prussian General Governments at Prague and Brünn, a list of the sick who are to be left behind, with a statement of the place where they lie.

13. For the delivery of the Hospitals at Brünn, Prague, Pardubitz, and Königinhoff, Commissioners of the respective Armies will meet at the places named, on the day of the evacuation of those towns, to complete the delivery and draw up a Protocol.

14. The expenses of attending on the sick will be paid by the Royal Prussian Government immediately after liquidation, according to the established regulations for the Imperial Royal Austrian troops.

Prague, 23rd August, 1866.

WERTHER.
BRENNER.

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[Oldenburg formally withdrew from the Germanic Confederation on the 20th June, 1866, and renounced its Rights over the Duchies of Holstein and Schleswig in favour of Prussia on the 27th September, 1866.]

## No. 389.—*TREATY OF PEACE between Prussia and Hesse-Darmstadt. Signed at Berlin, 3rd September*, 1866.

ART. TABLE.

1. Peace and Friendship.
2. War Indemnity to be paid to *Prussia* by *Hesse-Darmstadt.*
3. Guarantee for Payment of Indemnity.
4. Discount in case of Prepayment.
5. Withdrawal of *Prussian* Troops from *Hesse-Darmstadt.* Maintenance of Troops during Retreat.
6. Special Agreement to regulate Property-Relations.
7. Future Negotiations to regulate *Zollverein* Affairs. Renewal of *Zollverein* Treaty of 16th May, 1865.
8. Renewal of Treaties and Conventions.
9. Railway Traffic.
10. Suppression of *Tour and Taxis* Post. Postal arrangements to pass over to *Prussia.*
11. Telegraph Station at *Mentz.* Right of *Prussia* to use of all Telegraph Lines, &c.
12. Abolition of Navigation Dues on the *Rhine.* Abolition of Navigation Dues on the *Maine.*
13. Accession of *Hesse-Darmstadt* to Preliminary Treaty of 26th July, 1866.
14. Cessions by *Hesse-Darmstadt* to *Prussia.* Entrance of part of *Hesse-Darmstadt* into the North-German Confederation.
15. Cessions by *Prussia* to *Hesse-Darmstadt.*
16. Commissioners to regulate Cessions of Territory, &c.
17. Libraries and Museum to be placed at Disposal of *Prussia.* Commissioners to settle Ownership.
18. Continuation of Contracts of Bathing Houses at *Kreuznach* and Salt Works.
19. Ratifications.

*Appendix to Article XV.*

Description of the Boundaries of Territories and portions of Territory to be ceded by His Royal Highness the Grand Duke of *Hesse,* Sovereign Landgrave of Hesse, &c., to His Majesty the King of *Prussia.*

(Translation.)

His Majesty the King of Prussia and His Royal Highness the Grand Duke of Hesse, Sovereign Landgrave of Hesse, &c., animated by the wish to secure to their people the blessings of Peace, have determined to agree upon the stipulations of a Treaty of Peace to be concluded between them, and have appointed as their Plenipotentiaries, that is to say:

[Peace.]

His Majesty the King of Prussia, his Minister-President and Minister of Foreign Affairs, &c., Count Otto von Bismarck-Schönhausen; and his actual Privy Councillor, Chamberlain, and Envoy, Charles Frederick von Savigny;

His Royal Highness the Grand Duke of Hesse, &c., Baron Reinhard von Dalwigk zu Lichtenfels, President of the Grand Ducal Ministry, Minister of the Grand Ducal House, and of Foreign and Home Affairs; and Charles Hofmann, Chief Councillor in the Grand Ducal Ministry of the Grand Ducal House and of Foreign Affairs, and Privy Councillor of Legation;

Who, after exchanging their Full Powers, which were found in good order, have agreed upon the following Stipulations:

*Peace and Friendship.*

ART. I. There shall henceforth be Peace and Friendship for ever between His Majesty the King of Prussia and His Royal Highness the Grand Duke of Hesse, &c., their Heirs and Successors, their States and subjects.

*War Indemnity to be paid to Prussia by Hesse-Darmstadt.*

ART. II. His Royal Highness the Grand Duke of Hesse, &c., undertakes to pay to His Majesty the King of Prussia, within two months, the sum of 3,000,000 florins to cover part of the expenses which Prussia has been put to by the War. By payment of that sum His Royal Highness the Grand Duke of Hesse, &c., relieves himself of the indemnification-obligations incurred by Article VIII of the Treaty of Armistice dated Eisingen, near Wurtzburg, 1st August, 1866.

*Guarantee for Payment of Indemnity.*

ART. III. His Royal Highness the Grand Duke of Hesse, &c., guarantees the payment of the said sum by the deposit of bonds of the Grand Ducal Hessian State Loan, the 4 per cent. bonds to be taken at the rate of 80, and the $3\frac{1}{2}$ per cent. at the rate of 70.

*Discount in case of Prepayment.*

ART. IV. His Royal Highness the Grand Duke of Hesse, &c., has the right of paying the above Indemnification wholly or in part before the appointed time, with the deduction of a discount of 5 per cent. per annum.

*Withdrawal of Prussian Troops from Hesse-Darmstadt.*

ART. V. Immediately after the Guarantee has been given in accordance with Article III, or after the payment of the War Indemnity, His Majesty the King of Prussia will withdraw his Troops from the Grand Ducal Hessian Territory.

*Maintenance of Troops during Retreat.*

The Maintenance of the Troops during their Retreat is to be provided for according to the existing Federal regulations for that purpose.

*Special Agreement to regulate Property-Relations.*

ART. VI. The arrangement of the Property-Relations founded by the late German Confederation is reserved for a special Agreement.

*Future Negotiations to regulate Zollverein Affairs. Renewal of Zollverein Treaty of 16th May, 1865.*

ART. VII. Immediately after the conclusion of the Peace, the High Contracting Parties will enter into Negotiations for the Regulation of the Zollverein Affairs. Meanwhile the Zollverein Treaty of 16th May, 1865, and the Agreements connected with it, which have been rendered inoperative by the outbreak of the War, shall again come into force from the date of the exchange of the Ratifications, with the condition that it is reserved to each of the High Contracting Parties to make them inoperative after 6 months' notice to that effect.

*Renewal of Treaties and Conventions.*

ART. VIII. All the other Treaties and Conventions concluded between the High Contracting Parties before the War are hereby re-instated in their force.

*Railway Traffic.*

ART. IX. Immediately after the restoration of Peace in Germany, the High Contracting Parties will cause a meeting of Commissioners for the purpose of agreeing upon rules adapted for the furtherance of passenger and goods Traffic on the Railways as much as possible, and especially for the regulation of the conditions of competition in a suitable manner, as well as for the prevention

of the injuries to the general interests occasioned by the efforts of separate Administrations. As the High Contracting Parties are agreed that new connecting lines of Railway adapted for the general interest ought to be allowed and as far as possible facilitated, they will cause the above-mentioned Commissioners to lay down the principles demanded by the general interests of traffic in this respect also.

*Suppression of Tour and Taxis Post.*

ART. X. The Grand Ducal Hessian Government declares that it agrees beforehand to the arrangements that Prussia may make with the Princely House of Taxis, for the Suppression of the Tour and Taxis Post.

*Postal Arrangements to pass over to Prussia.*

The whole of the Postal Arrangements in the Grand Duchy of Hesse will consequently pass over to Prussia.

*Telegraph Station at Mentz.*

ART. XI. The Grand Ducal Hessian Government undertakes not to allow any other than a Prussian Telegraph Station in Mentz.

*Right of Prussia to use of all Telegraph Lines, &c.*

The Grand Ducal Government likewise grants to the Prussian Government the right of the unrestricted establishment and employment of Telegraph Lines and Telegraph Stations in all other parts of the Grand Ducal Territories also.

*Abolition of Navigation Dues on the Rhine.*

ART. XII. The Grand Ducal Hessian Government will entirely stop the levy of the Navigation Dues on the Rhine, and of the Navigation Fee also—Tariff B, annexed to the Convention of 31st March, 1831 (**No. 151**)—as well as that of the Toll on the Cargo—Additional Articles XVI and XVII to the Convention of 31st March, 1831—from the date when a like measure is carried out by the other German States bordering on the Rhine.

*Abolition of Navigation Dues on the Maine.*

The High Contracting Parties undertake the like engagement with regard to the Navigation Dues still existing on the Maine.

[Peace.]

*Accession of Hesse-Darmstadt to Preliminary Treaty of 26th July, 1866.*

ART. XIII. His Royal Highness the Grand Duke of Hesse, &c., recognises the stipulations of the Preliminary Treaty concluded between Prussia and Austria at Nikolsburg, 26th July, 1866 (**No. 383**), and accedes to the same on his part in so far as they affect the future of Germany.

*Cessions by Hesse-Darmstadt to Prussia.*

ART. XIV.* His Royal Highness the Grand Duke of Hesse, &c., cedes to His Majesty the King of Prussia with all Sovereign and Domanial Rights:

i. The Landgraviate of Hesse-Homburg,† including the chief Bailiwick district of Meissenheim, but exclusive of the two Domanial Properties of Hötensleben and Oebisfelde, belonging to Hesse-Homburg, and situated in the Royal Prussian Province of Saxony;

ii. The following portions of Territory hitherto belonging to the Province of Upper Hesse, viz.:

1. The Circle of Biedenkopf;

2. The Circle of Vöhl, including the Enclaves Eimelrod and Heringhausen;

3. The North Western part of the Circle of Giessen, which comprises the places Frankenbach, Krumbach, Königsberg, Fellingshausen, Bieber, Haina, Rodheim, Waldgirmes, Naunheim, and Hermannstein, with their Boundaries;

4. The District of Rödelheim;

5. That part of the District of Nieder-Ursel which is under the Sovereignty of the Grand Duke of Hesse.

*Entrance of part of Hesse-Darmstadt into the North German Confederation.*

His Royal Highness the Grand Duke of Hesse, &c., enters with all his Territories lying north of the Maine into the North German Confederation,‡ on the basis of the principles laid down in the Reform Proposals of 10th June last, and he engages to make the proper arrangements for the Parliamentary elections according to the proportion of the population.

The Grand Ducal Hessian Contingent belonging to the North German Confederation, which is to be separated in consequence hereof, passes under the Command-in-Chief of the King of Prussia,

* See note, page 1737. † See note, page 241.

‡ See Preamble of North German Constitution of 14th June, 1867.

according to the arrangements to be agreed to upon the basis of the proposals for Federal Reform of 10th June last.

*Cessions by Prussia to Hesse-Darmstadt.*

ART. XV.* His Majesty the King of Prussia cedes to His Royal Highness the Grand Duke of Hesse, &c., for the restoration of Territorial Unity in the Province of Upper Hesse, the following portions of Territory with all Sovereign and Domanial Rights:

1. The former Electoral Hessian District of Katzenberg, with the localities Ohmes, Vockenrode, Ruhlkirchen, Seibelsdorf;

2. The former Electoral Hessian Bailiwick of Nauheim, with all the Sovereign Rights of Property, and all the bathing establishments and Salt Works in Nauheim, as well as the localities Dorheim, Nauheim, Schwalheim, Rödgen;

3. The former Nassau Bailiwick of Reichelsheim, situated to the east of the above, with the localities Reichelsheim and Dornassenheim;

4. The former Electoral Hessian Enclave Treis on the Lumda;

5. The former Electoral Hessian Domanial Forest District situated between the Grand Ducal Hessian localities Altenstedt and Böhnstadt;

6. The former Frankfort Districts of Dortelweil and Lower Erlenbach;

7. The former Electoral Hessian District of Massenheim;

8. The former Nassau District of Haarheim;

9. The former Electoral Hessian Territorial portion of the District of Mittelgründau, comprising about 1,700 acres (Morgen).

These portions of Territory (1 to 9) become part of the Province of Upper Hesse, and are to enjoy the same political relations (Article XIII). The portion of Territory formerly belonging to Electoral Hesse on the left bank of the Maine, with the locality Rumpenheim, is in like manner ceded to His Royal Highness with all Sovereign and Domanial Rights.

A description of the respective Boundaries is subjoined (at the end*).

*Commissioners to regulate Cessions of Territory, &c.*

ART. XVI. The arrangements to be made between the two High Contracting Parties in regard to the portions of Territory reciprocally ceded, the Archives, the Officials, Soldiers, &c., are reserved for special Agreement by Commissioners on both sides.

* See page 1736.

[Peace.]

*Libraries and Museum to be placed at disposal of Prussia.*

ART. XVII. The Books, Manuscripts, and other inventory articles which before the year 1794 were in the Cathedral Library of Cologne, and are now kept in the Grand-Ducal Museum and Library, will be placed at the disposal of His Majesty the King of Prussia for the Cathedral Chapter of Cologne.

*Commissioners to settle Ownership.*

The Ownership of the several articles shall be finally decided by a Commissioner of His Majesty the King of Prussia jointly with a Commissioner of His Royal Highness the Grand Duke of Hesse, &c., or in disputed cases by an impartial Umpire, to be chosen by them.

*Continuation of Contracts of Bathing-houses at Kreuznach and Salt Works.*

ART. XVIII. The Grand Ducal Government undertakes that the Contract concluded between a number of Proprietors of Bathing-houses at Kreuznach, and the Grand Ducal Carl-Theodor-Halle Salt Works for the supply of salt-water and mother-water [*mutterlauge*] until the year 1872, shall be further prolonged, in any case to the time when the Prussian Government may find occasion to acquire possession of the said Salt Works, and on the condition that the town of Kreuznach, instead of the late Contractors, shall receive immediately the necessary supply of salt-water and mother-water. The Grand Ducal Government will also allow pipes to be laid down to conduct the salt water from the salt springs to the town of Kreuznach.

*Ratifications.**

ART. XIX. The Ratification of the present Treaty shall take place at the latest by the 15th September, this year.

In witness whereof the respective Plenipotentiaries have signed this Treaty in duplicate copies, and have set thereto their Seals.

Done at Berlin, 3rd September, 1866.

(L.S.) V. BISMARCK. (L.S.) DALWIGK.
(L.S.) SAVIGNY. (L.S.) HOFMANN.

* Ratifications were exchanged on the 12th of the same month.

[Peace.]

APPENDIX TO ARTICLE XV OF THE TREATY OF PEACE.

*Description of the Boundaries of Territories, and portions of Territory to be ceded by His Royal Highness the Grand Duke of Hesse, Sovereign Landgrave of Hesse, &c., to His Majesty the King of Prussia.*

I. The Landgraviate of Hesse-Homburg, consisting of:

*a.* The Bailiwick of Homburg, one square mile and a half, with 13,622 inhabitants;*

*b.* The Bailiwick of Meissenheim, 3½ square miles, with 13,762 inhabitants; together, 5 square miles and 27,374 inhabitants is ceded to its full Territorial extent.

II. The portions of Territory hitherto belonging to the Province of Upper Hesse, which are to be ceded to His Majesty the King of Prussia, are as follows:

1. The Circle of Biedenkopf of 11 square miles and 33,325 inhabitants. The Boundaries of this Circle correspond to the north, east, and west with the late Frontier of the Grand Ducal Territory, which is here surrounded on the north by the Royal Prussian Province of Westphalia, to the east by the late Electoral Province of Upper Hesse, to the west by the Royal Prussian Province of Westphalia, as well as by the late Nassau Territory.

To the south, the Circle of Biedenkopf is bounded partly by the Royal Prussian Circle of Wetzlar, partly by the Boundary line of the locality Frankenbach hitherto belonging to the Grand Ducal Hessian Circle of Giessen, and at the latter part in such wise that the course of the Boundary line between the localities Wilsbach on the one and Frankenbach on the other side, at the same time forms the limit of the Circle of Biedenkopf.

2. The Circle of Vöhl, 2½ square miles and 5,810 inhabitants, consists of three parts, separated from the other Territory of the Province of Upper Hesse, of which the largest, with the town of Vöhl, is bounded on the north, east, and west by the Territory of Waldeck, and on the south by the Territory lately belonging to Electoral Hesse; the other two Enclaves of Heringshausen and Eimelrod are entirely surrounded by the Territory of Waldeck. The former limit of the Sovereignty of the Grand Duchy therefore forms, in reference to the Circle of Vöhl, the Boundary of the Territory to be ceded.

* This and the following statements respecting the number of inhabitants, are taken from the results of the Census of December, 1864.

3. The north-western part of the Circle of Giessen, with the localities Frankenbach, Krumbach, Königsberg, Fellingshausen, Bieber, Haina, Rodheim, Waldgirmes, Naunheim, and Hermannstein, together about one square mile and a third, with 5,357 inhabitants, is bounded on the north by the late Grand Ducal Hessian Circle of Biedenkopf, and by the late Electoral Hessian Province of Upper Hesse; on the east and west by the Royal Prussian Territory (Circle of Wetzlar); on the south likewise by the Prussian Territory and by the northern Boundary of Heuchelheim belonging to the Grand Ducal Hessian Circle of Giessen; so that the course of the Boundary line between the localities of Rodheim on the Bieber, on the one side, and Heuchelheim on the other side, somewhat to the north of the so-called Windhof, here forms the future Frontier between the Kingdom of Prussia and the Grand Duchy of Hesse.

4. The locality of Rödelheim (2,762 inhabitants), hitherto reckoned with the Grand Ducal circle Vilbel, with the district belonging thereto, is separated from the other Territory of the Province of Upper Hesse, and is bounded by the late Nassau, Frankfort, and Electoral Hessian Territory surrounding it, so that here also the Limits of the Territory to be ceded corresponds with the heretofore Boundary of the Sovereignty. The same is the case with

5. The part of Lower Ursel (475 inhabitants) lately under the Sovereignty of the Grand Duke of Hesse.

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The Undersigned Plenipotentiaries have agreed upon the following points in reference to the Cessions and Boundary regulations stipulated in Articles XIV and XV of the Treaty of Peace of this day's date.

1. The Prussian State succeeds to all the Rights and Obligations of the Hessian State in the ceded Districts, and has, therefore, to pay the Pensions and Salaries as they have been paid hitherto. All persons in official employ in the said districts, who are to be received therewith, will have the total amount of their present emoluments guaranteed to them if they remain in the Royal Prussian Service; but if they withdraw to Hesse, which they are at liberty to do within the next 3 months after the Ratification of this Treaty, they will be treated according to the Grand Ducal Hessian regulations in this behalf until they are again located.

The Officials who are to be taken over from the now ceded portions of Territory formerly belonging to Nassau and Electoral Hesse are to be treated in an analogous manner.

Such Military Persons, natives of the above-mentioned Districts, as are not of the rank of Officers, will be discharged from the Grand Ducal Hessian Army and sent home. Their service in the Grand Ducal Hessian Forces will be reckoned in their liability to Prussian Service. The Officers, as well as those persons who have the rank of Officers, are at liberty to choose in which country's service they will continue.

2. The Commissioners mentioned in Article XVI of the Treaty of Peace will attend to all those matters which are connected with the reciprocal arrangements, as, for example, the arrears of Public Taxes, and other matters of that kind.

3. Full liberty of Expatriation within a year from the date of the exchange of the Ratifications of this Treaty is reserved to all the inhabitants of the ceded portions of Territory.

4. The Paintings, the Library, and other Collections, as well as the Orangery in the Residential Palace at Homburg vor der Höhe, are not included in the Cession of the Landgraviate of Hesse-Homburg; they remain the property of the Grand Ducal House.

5. Simultaneously with the withdrawal of the Royal Prussian Troops from the Grand Ducal Hessian Territory, the measures taken on the part of Prussia for the Civil Administration of the occupied Territory will come to an end, and the Grand Ducal authorities and officials will no longer be hindered from the performance of their Official Functions.

6. It is agreed on both sides that in the Special Agreements to be come to respecting the Postal and Telegraph Services, the point shall never be lost sight of, that the two Grand Ducal Hessian Provinces of Starkenburg and Rhenish Hesse, situated south of the Maine, are to be subject to the same arrangements in regard to the administration of the Postal and Telegraph Services as are to be introduced for the Province of Upper Hesse, on the basis of those which prevail in the North German Confederation. When the Princely House of Tour and Taxis is done away with, the Royal Prussian Government takes the place of the Princely House of Tour and Taxis in regard to existing liabilities, especially in respect to the settlement of the canon.

Negotiations shall also take place between the Commissioners

forthwith for the technical execution of the stipulation contained in the second sentence of Article X of the principal Treaty.

7. All Prisoners of War will be set at liberty within 8 days after the ratification of the Treaty of Peace of this date, and will be received on the part of the respective Military Authorities at places to be agreed upon.

8. In reference to Prussia's right of Garrisoning Mentz, which remains exclusively with her, the conditions which have hitherto prevailed between the Confederation and the Territorial Government will be applied to the relations between Prussia and the Territorial Government.

9. With respect to the first sentence of Article XI* of the principal Treaty, it is acknowledged on the part of Grand Ducal Hesse, that on account of the Garrison Arrangements of Mentz, the Telegraphic Service there must belong exclusively to the Prussian Government.

The administration and working of the Telegraphs intended for the service of the railways is not interfered with by Article XI* of the principal Treaty, so far, that is, as these are compatible, according to circumstances, with the absolute security of the Fortress.

10. The Grand Ducal Hessian Government declares its readiness to enter into a negotiation with the Royal Prussian Government for the Cession of the management and working of the length of the Maine and Weser Railway, situated in the Grand Ducal Territory, starting with the principle that the whole of the net returns of the said length shall be annually paid undiminished to the Grand Ducal Government.

The Grand Ducal Hessian Government engages at all events to cede to Prussia, on the above condition, the management and working of the length of the Maine and Weser Railway in the Grand Ducal Territory, from the Frontier of Electoral Hesse to Giessen.

11. If the Royal Prussian Government should find it expedient to send its troops returning from Bohemia or Bavaria by the Schwadorf-Nuremberg-Wurtzburg-Aschaffenburg line, through the Grand Ducal Hessian Territory, the Grand Ducal Government hereby gives its consent thereto, and will also place the railway leading through the Grand Ducal Territory at the disposal of the Royal Prussian Military Authorities engaged on that Service, for

* See page 1732.

the transport of the Troops; on the other hand, the Royal Prussian Government engages to pay the compensation at the Grand Ducal Hessian Rates for the transport of Troops.

12. No subject of His Majesty the King of Prussia, or of His Royal Highness the Grand Duke of Hesse, &c., will be prosecuted, molested, or obstructed in his person or his property on account of his conduct during the War.

13. With respect to Article XVIII* of the principal Treaty, both parties reserve a further negotiation in case the Crown of Prussia should not have acquired the said Salt Works up to the year 1892.

14. The Ratification of the foregoing Convention shall be considered as included in the Ratification of the Treaty of Peace of this date.

Berlin, 3rd September, 1866.

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| (L.S.) v. BISMARCK. | (L.S.) DALWIGK. |
| (L.S.) SAVIGNY. | (L.S.) HOFMANN. |

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[A Treaty between Prussia and Saxe-Coburg-Gotha, for the Cession by Prussia of the State Forests in the Circle of Schmalkalden to Saxe-Coburg-Gotha, was signed at Berlin, on the 14th September, 1866. A Military Convention between Prussia and Hesse-Darmstadt was signed on the 7th April, 1867; and a Treaty of Offensive and Defensive Alliance between those Powers was also signed on the 11th April, 1867.]

* Page 1735.

**No. 390.**— *DECREE of the King of Prussia, uniting Hanover,* Hesse-Cassel,† Nassau, and Frankfort,‡ with the Prussian Monarchy. Berlin, 20th September*, 1866.§

(Translation.)

We, William, by the Grace of God, King of Prussia, &c., with the consent of both Houses of the Landtag (**No. 385**), decree as follows:

§ 1. The Kingdom of Hanover, the Electorate of Hesse, the Duchy of Nassau, and the Free Town of Frankfort, are, in accordance with Article II of the Constitution for the Prussian States, united for ever with the Prussian Monarchy.

§ 2. The Prussian Constitution comes into operation in these Countries on 1st October, 1867. The arrangements for the necessary modifications, additions, and for the execution thereof, will be settled by separate Laws.

§ 3. The Ministry of State is charged with the execution of this Law.

As witness our Royal Signature and Seal.

Given at Berlin, 20th September, 1866.

(L.S.) WILLIAM.

Count von Bismarck-Schonhausen and 7 others.

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[On the 20th September, 1866, a Decree and Proclamation were issued by the reigning Duke of Saxe-Meiningen, Abdicating his Sovereignty over the Duchy, in favour of his Son; and on the following day a Proclamation was issued by his Successor, assuming the Government of the Duchy.]

* The King of Hanover protested against this Annexation on the 23rd September, 1866. On the 6th October following a Proclamation was addressed by the King to his Subjects releasing them from their Allegiance, but with certain reserves.

† On the 18th September, 1866, a Proclamation was issued by the Elector of Hesse releasing his Subjects from their Allegiance.

‡ On the 24th September, 1866, the Inhabitants of Frankfort protested against the Annexation of Frankfort to Prussia.

§ See also Prussian Patents of 3rd October, 1866.

[Protest against Annexation to Prussia.]

**No. 391.**—*PROTEST of the King of Hanover against the Incorporation of Hanover with the Prussian Monarchy. Hietzing, near Vienna, 23rd September,* 1866.*

(Translation.†)

We, George V, by the Grace of God, King of Hanover, Prince Royal of Great Britain and Ireland, Duke of Cumberland, Duke of Brunswick and Luneburg, &c.;

In presence of the facts which have just been accomplished, and a statement of which follows, namely:

On the 15th June of the present year His Majesty the King of Prussia, our Cousin-Germain and up to that time our Ally, invaded our Kingdom, violating the most legitimate and sacred Rights.

The conduct of our Government, during the conflict which, to our profound regret, broke out between Austria and Prussia, could not give rise to a measure so unjust.

On the contrary, animated by the most sincere and ardent desire to see the disagreements which had arisen between the two most powerful members of the German Confederation removed, and seeking to prevent the misfortunes which must ensue from a War between Germans, our Government did everything in its power to remain in relations of friendship, as well with Prussia as with Austria, and to preserve its freedom of action to act at the Diet, in a peaceful and conciliatory manner.

The Prussian Government having expressed its desire that we should remain Neutral in a possible War, we acceded to that desire. We simply declared at Berlin that the particular conditions of that Neutrality could only be determined in the event of the German Confederation being really dissolved. Our accession to the Prussian proposal was in perfect conformity with the circumstances, since the Federal Law, forbidding members of the Confederation to wage War among themselves, forbad them consequently to take part in a War which, notwithstanding that prohibition, had broken out between Governments forming part of the Confederation.

To explain the acts of hostility of which Prussia was guilty

* A Treaty between the King of Prussia and King George of Hanover, relative to the Private Property of King George, was signed on the 29th September, 1867. On the 2nd March, 1868, a Prussian Decree was issued, sequestrating the Fortune of King George, which was revoked by a Decree, dated 15th February, 1869; but as the consent of the Prussian Landtag was made obligatory, King George protested against this condition on the 30th March, 1869.

† For French version, see "State Papers," vol. lvi, p. 1069.

towards our Kingdom, a pretence has recently been raised at Berlin that, in the course of the negotiations relative to the Neutrality in question, we had entered, with the Cabinet of Vienna, into an engagement to co-operate with our troops with the Austrian Army stationed in Holstein.

That assertion is entirely false.

Our Government considered itself engaged by the assurance it had given to observe Neutrality in the event of the Federal Pact being dissolved, and it was only in the event of our Country being attacked by Prussia that we should have accepted the assistance which His Majesty the Emperor of Austria had been pleased to tender to us. But, full of confidence in the loyalty of the Prussian Government, we caused an answer to be returned to His Imperial Majesty that we did not require that assistance.

Consequently, the Austrian Army Corps which had occupied Holstein, crossed our States, without halting there and following the shortest road, to reach the South of Germany.

At about the same time we allowed the Prussian Army Corps, under the orders of Lieutenant-General Manteuffel, to pass through our Country, to go to Minden.

Our conduct, in that instance, was therefore under the strictest principles of Neutrality.

We were far from expecting, then, that the King of Prussia would use, a few days after that, those same troops to take possession of our Country.

Our Army was on the most complete peace footing, because we rested on the Neutrality which had been named to us, and the negotiations for which, although adjourned, were to be renewed at a fitting opportunity, so far as regarded the special conditions of its execution, in conformity with the expressed and reiterated Declarations which Count Platen-Hallermund, our Minister for Foreign Affairs, had made on the subject to Prince Isenburg, the Prussian Minister.

Our Government had, therefore, not bought any horses, nor taken the slightest step to which a character of Military Armament could be attributed.

All that the Prussian newspapers have said, lately, with reference to the pretended Armaments of Hanover, rests on no foundation whatever, and could only have been used to mislead public opinion and to palliate the unqualifiable acts of violence which have been committed against us, against our Kingdom, and our subjects.

Always animated by the same spirit of moderation, of con-

ciliation, and of impartiality, we had ordered our Envoy at the Diet to vote against the Austrian proposal of 14th June, inasmuch as its object tended to induce the Germanic Confederation to take part against Prussia, and to vote for the proposed mobilisation on condition only that it was not directed against the latter Power, but that it tended solely to the Maintenance of Tranquillity and the Security of the Federal Territory.

The allegations which the Prussian organs have lately made against our policy in that respect are equally destitute of all consistency.

The attitude which our Government had observed from the beginning of the conflict, gave us, therefore, reason to hope that our Kingdom and our faithful Subjects would find themselves beyond the reach of a War which appeared to become daily more imminent.

But what was our sorrowful surprise, when, on the 15th June last, the Cabinet of Berlin, feigning to forget all the antecedents of the question, caused a summons to be presented to our Government, the object of which was not to invite us to arrange, by common consent, the definitive conditions of the Neutrality which had been offered to us and to which we had agreed in principle, but to make us abandon, in favour of Prussia, certain prerogatives essential to our Sovereignty, a part of the Independence of our Kingdom, and numberless legitimate Rights of our Subjects, although our Sovereignty and the Independence of our Kingdom had been recognised and guaranteed by the whole of Europe.*

We were allowed but one day for reflection to decide, and we were threatened with War in case we refused to submit to the dictates of Prussia.

After having heard our Ministers, we took, in accordance with their unanimous advice and in perfect conformity with our own views, the resolution of declaring to the Envoy of the King of Prussia that the Proposals which had been submitted to us were inadmissible; but that our Government remaining immovable in the conviction that Federal Law forbad all War between the Members of the Confederation, would take no Military steps against the Prussian Government, its Ally, so long as the Frontiers of Hanover were not attacked; and that it did not abandon the hope that the relations of good neighbourhood which had existed up to that time between the two Governments, would be maintained intact.

* See note, page 1748.

[Protest against Annexation to Prussia.]

Our resolution having been communicated to the Prussian Envoy, the latter answered by a Declaration of War, against which our Minister for Foreign Affairs immediately protested.

This took place at midnight of the 15th to the 16th June last.

But at 5 o'clock in the afternoon of that same day, the 15th June, the Army Corps of General Manteuffel had disembarked in the neighbourhood of Harburg, and took a hostile attitude *before the Declaration of War.*

We uphold to the reprobation of all honest men the proceedings of the Prussian Government, which, taking our good faith by surprise, had managed to obtain from us leave for the passage of its Troops through our Territory, with the secret intention of invading it.

We uphold to the indignation of the civilised world that Aggression, in time of Peace, against the States of a friendly Sovereign, relative, and friend; and we are persuaded that the whole world will, with us, condemn that outrage against public morality, the Law of Nations, the rights of Treaties, and the Usages of civilised Nations.

We are, at the same time, convinced that all impartial men will say with us that the decided and premeditated intention of the Prussian Government was, for a long time past, to take possession of our States; that the proposal of Neutrality which had been made to us, was simply to lull us into a false security; that the Prussian Cabinet had purposely offered us conditions of a humiliating Alliance, knowing that we could not accept them, and that in fact, whatever might have been the line of conduct which we had followed, it would have been very difficult, if not impossible, for us to escape from the violence of the Prussian Government.

In the impossibility in which our Army found itself, of effectually repelling the Invasion of the Prussian Troops which fell on all sides upon our Kingdom, whose Frontiers they occupied for several days past, we concentrated our Troops at Göttingen, in order afterwards to lead them beyond the Prussian sphere of action.

Arrived near Eisenach, we entered into negotiations relative to a truce which had been offered to us and which was agreed to on either side. But before its termination, our Troops were attacked by the Prussian Army, in compliance with an order received from General Vogel de Falckenstein.

This was a second flagrant Violation of all the Laws and Usages in force amongst civilised Nations. Although our Army was only on a Peace footing, and that its strength was almost exhausted, in consequence of fatigue, privations, and forced marches to which it had been obliged to submit, during more than 8 successive days, it nevertheless gained, at Langensalza, a brilliant victory over the Prussians.

Unfortunately, the next day, being pressed on all sides by forces 3 times superior, and having no help to look to, we resigned ourselves to accept a Capitulation in order not to shed uselessly the blood of our valiant soldiers.

As soon as the War between Austria and Prussia appeared to have come to an end, we went to Vienna, where Negotiations of Peace had just been opened, and we addressed to His Majesty the King of Prussia, who was then at Nikolsburg, a letter in which we expressed our sincere desire to enter, on our side, into Negotiations of Peace with him.

Contrary to all the Usages admitted between Sovereigns, our letter was not accepted by His Majesty the King of Prussia.

Notwithstanding that, we have endeavoured to secure the preservation of our Kingdom by every means in our power. With that intention we were even disposed to abdicate our Royal Rights in favour of our well-beloved Son and Heir to our Crown, the Prince Royal Ernest Augustus, on condition that Prussia should place him in immediate possession of the Crown and Kingdom of Hanover. On the other side our faithful Subjects, courageously defying the rigorous, arbitrary, and despotic regimen imposed upon them by Prussian Administration, lost no opportunity of manifesting their ardent desire to remain under a Dynasty which is dear to them, which for the last 1,000 years has shared the destinies of the country, and has made every effort to secure its prosperity and to consolidate its well-being.

Useless efforts!

His Majesty the King of Prussia, after having occupied our Kingdom in a surreptitious manner, has thought that he could take definitive possession of it, and declared it annexed to his States, on the 20th September of this year (**No. 390**).

The only motive alleged by the Prussian Government to justify this arbitrary act, unheard of in the records of German history, is that which he pretends to find in the Right of Conquest.

Now, the Right of Conquest supposes a War made in conformity with the principles of the Law of Nations. But there has never been between us and the King of Prussia a War of such a nature. Moreover, as we have already stated above, it could not take place according to the Fundamental Laws of the Germanic Confederation, and it ought to have been morally impossible from one of our near relatives, of a friendly Sovereign, of a German Prince!

We consequently found ourselves, purely and simply, in the position of legitimate self-defence, in the face of an aggression which nothing could justify, and which we had not provoked.

With the facts above described in view, we loudly and solemnly Protest:

Against the unjustifiable Invasion of our Territory, which detachments of the Army of the King of Prussia presumed to make on the 15th June, 1866, and following days;

Against the Occupation of our Kingdom by the same Army detachments;

Against the Usurpation of our Rights and Prerogatives committed by the Agents of Prussia, and against any which they may still commit;

Against the Losses which we and our Royal House have suffered, or which we may be made to suffer, on the part of Prussia, in respect of our Property,* Revenues, or Estates, of whatever nature they may be;

Against the Spoliations suffered by the Public Treasury of Hanover under Prussian Administration, and against those which it may have to bear in future;

Against the Prosecutions, Losses, and Injuries to which our faithful Subjects may have been exposed, in consequence of the unjust and illegal acts of the Administration of the King of Prussia, or to which they may be subject in future;

Against the Obstacles which the said Administration brutally put to the manifestation of our well-beloved Subjects in favour of the preservation of our Dynasty and the Dynasty of Hanover, whilst it has provoked, and favoured by most disloyal means, manifestations in a contrary sense;

Against the Ill-will of the King of Prussia, who has repelled the steps which we have taken, or which we have ordered to be

* See note, page 1742.

taken with him, or with his Government, in order to re-establish Peace between us;

Finally, we specially Protest, in the face of the Universe against the taking Possession of our Kingdom, and against its Incorporation with Prussia, announced as definitive on the 20th September of this year (**No. 390**), as well as against all consequences of that Act, declaring that that Incorporation or Annexation is an infamous Usurpation, a culpable and odious Spoliation, a flagrant Violation of European Treaties, of all the principles of the Law of Nations, and of the Inviolability of States and Thrones;

This solemn Declaration, which we also make in the name of our legitimate successors, has principally for its object to place beyond prejudice the Rights of Sovereignty which belong to us by order of Succession, and which have been sanctioned and guaranteed by the European Powers.*

We claim the support of all the Powers which have recognised our Sovereignty and the Independence of our Kingdom, convinced as we are, that they will never admit that "*la force prime le droit*," since such a principle, now applied by Prussia, might hereafter threaten the existence of all the Monarchies and of all the legitimate States of the world.

We finally Declare that we shall never renounce our Rights of Sovereignty over our States; and that we shall always consider as illegal, null and void, all the acts which the Prussian Government or its Agents have committed, or may commit, in consequence of that usurpation, all responsibility for which we cast upon him who is their author.

Let all those who are interested therein consider themselves as warned.

We will look to future events full of confidence in the justice of our cause, and animated by the firm hope that Divine Providence will not delay in putting a stop to the machinations, iniquities, and violence to which so many States and so many Peoples are now victims as well as ourselves and our brave Hanoverians.

Hietzing, near Vienna, 23rd September, 1866.

(L.S.) GEORGE REX.

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* See Vienna Congress Treaty of 9th June, 1815, Arts. XXVI, XXVII.

# No. 392.—*TREATY OF PEACE between Austria and Italy. Signed at Vienna, 3rd October,* 1866.

ART. TABLE.

Preamble. Reference to Treaties of *Zurich* of 10th November, 1859.
1. Peace and Friendship.
2. Delivery of Prisoners of War.
3. Union of *Lombardo-Venetian* Kingdom to *Italy*.
4. Frontier of ceded Territory. Appointment of a Military Commission.
5. Evacuation of ceded Territory.
6. Amounts to be paid by *Italy* on the *Monte Lombardo-Veneto* Debt, and for War Material.
7. Appointment of a Commission for the payment of *Monte Lombardo-Veneto* Debt.
8. Rights and Obligations of *Italy* relative to *Austrian* Contract.
9. Reimbursements to be made by *Austrian* and *Italian* Governments.
10. Recognition and Confirmation by *Italy* of *Austrian* Railway Concessions. Recognition of *Austrian* Railway Conventions by *Italy*. *Austrian* Right of Devolution transferred to *Italian* Government. Payments still due by Concessionaries to be paid in full to *Austria*. *Austria* to pay Credits of building Contractors and Tradesmen, &c.
11. *Austria* to have no control over Railways in ceded Territory.
12. Convention to be entered into with *South Austrian* Railway Company. Division of Payment of Railway Guarantee.
13. Increase of Railway Communications.
14. Inhabitants or Natives of ceded Territory free to retire with their Moveables to *Austria* and to keep their Immoveable Property in *Lombardy*. Same liberty to *Lombards* living in *Austria*. *Lombard* Subjects to be free from Molestation. Time within which *Lombards* are to make their choice.
15. *Lombardo-Venetian* Subjects in *Austrian* Army to return to their homes. *Lombards* free to remain in *Austrian* Service. Civil Servants free to remain in *Austrian* Service. Civil Servants free to choose between the *Austrian* and *Italian* Service.
16. *Italian* Officers in *Austrian* Army free to remain or enter *Italian* Army.
17. Civil and Military Pensions.
18. Archives of Republic of *Venice*. *Austrian* Archives in ceded Territory to be handed over to *Austria*. Permission to make Copies of Documents.
19. Customs Facilities.
20. Renewal of Treaties and Conventions.
21. Renewal of Treaty of Commerce of 18th October, 1851.
22. Restoration of Personal and Real Estates to Princes and Princesses of the House of *Austria*. Reservation of the Rights of the State and of Individuals.
23. Armistice to Individuals implicated in Political Events.
24. Ratifications.

*Additional Article.*

Periods of Payment to be made by *Italy* on the *Monte-Lombardo* Debt, and for War Material.

[Peace.]

(Translation.*)

*Reference to Treaties of Zurich of 10th November*, 1859.

In the name of the Most Holy and Indivisible Trinity.

His Majesty the King of Italy and His Majesty the Emperor of Austria having resolved to establish between their respective States a sincere and lasting Peace, His Majesty the Emperor of Austria having ceded to His Majesty the Emperor of the French the Lombardo-Venetian Kingdom,† His Majesty the Emperor of the French on his part having declared himself ready to recognise the Union of the said Lombardo-Venetian Kingdom to the States of His Majesty the King of Italy, with the reservation of the consent of the Populations being duly consulted; His Majesty the King of Italy and His Majesty the Emperor of Austria have appointed as their Plenipotentiaries, namely:

His Majesty the King of Italy, the Sieur Louis Frederic Count Menabrea, Senator of the Kingdom, Lieutenant-General, &c.;

His Majesty the Emperor of Austria, the Sieur Felix Count Wimpffen, his actual Chamberlain, Envoy and Minister Plenipotentiary, on an Extraordinary Mission, &c.;

Who, after having exchanged their respective Full Powers, found to be in good and due form, have agreed upon the following Articles:

*Peace and Friendship.*

Art. I. There shall be from the date of the exchange of the Ratifications of the present Treaty, Peace and Friendship between His Majesty the King of Italy and His Majesty the Emperor of Austria, their heirs and successors, their States and their respective subjects in perpetuity.

*Delivery of Prisoners of War.*

Art. II. The Italian and Austrian Prisoners of War shall be immediately delivered up on both sides.

*Union of Lombardo-Venetian Kingdom to Italy.*

Art. III. His Majesty the Emperor of Austria agrees to the Union of the Lombardo-Venetian Kingdom to the Kingdom of Italy.

* For French version see "State Papers," vol. lvi, p. 700.

† Treaties of Zurich, of 10th November, 1859.

*Frontier of Ceded Territory.*

ART. IV. The Frontier of the Ceded Territory is determined by the actual administrative confines of the Lombardo-Venetian Kingdom.

*Appointment of a Military Commission.*

A Military Commission appointed by the two Contracting Powers shall be entrusted with the execution of the tracing on the spot within the shortest possible delay.

*Evacuation of Ceded Territory.*

ART. V. The evacuation of the Ceded Territory determined by the preceding Article, shall begin immediately after the signature of Peace, and shall be terminated in the shortest possible delay, in conformity with the arrangements agreed upon between the Special Commissioners appointed to that effect.

*Amounts to be paid by Italy on account of the Monte Lombardo-Veneto Debt, and for War Material.*

ART. VI. The Italian Government will take upon itself:

1st. The portion of the Monte Lombardo-Veneto which devolved upon Austria in virtue of the Convention concluded at Milan in 1860 for the execution of Article VII of the Treaty of Zurich (**No. 301**);

2ndly. The Debts added to the Monte Lombardo-Veneto since the 4th of June, 1859, up to the day of the conclusion of the present Treaty;

3rdly. A sum of 35,000,000 florins, Austrian currency, in cash, for the portion of the Loan of 1854, allotted to Venetia, and for the price of the non-transportable War Material. The manner of paying that sum of 35,000,000 florins, Austrian currency, in cash, shall, in conformity with the precedent of the Treaty of Zurich, be determined in an Additional Article.*

*Appointment of a Commission for the Payment of Monte Lombardo-Veneto Debt.*

ART. VII. A Commission, composed of Italian, Austrian, and French Delegates, shall proceed to the liquidation of the different classes mentioned in the two first paragraphs of the preceding Article, taking into account the Sinking Fund already paid, and the Property, Assets, of every kind, constituting the Sinking Fund.

* See Additional Article, page 1758.

That Commission shall proceed with the Definitive Regulation of the Accounts between the Contracting Parties, and shall fix the time and method to be employed for the liquidation of the Monte Lombardo-Veneto.

*Rights and Obligations of Italy relative to Austrian Contract.*

ART. VIII. The Government of His Majesty the King of Italy succeeds to the Rights and Obligations resulting from Contracts regularly stipulated by the Austrian Administration for objects of public interest, especially concerning the ceded Territory.

*Reimbursements to be made by Austrian and Italian Governments.*

ART. IX. The Austrian Government is charged with the Reimbursement of all sums paid by subjects of the ceded Territory, communal districts, public establishments, and religious societies into the Austrian public Banks in the shape of caution-money, deposits, or consignments. In the same manner, Austrian subjects, communes, public establishments, and religious societies, who have paid money into the Banks of the ceded Territories in the shape of caution-money, deposits, or consignments, will be punctually reimbursed by the Italian Government.

*Recognition and Confirmation by Italy of Austrian Railway Concessions.*

ART. X. The Government of His Majesty the King of Italy recognises and confirms the concessions granted to the Railroads by the Austrian Government in the ceded Territory, to the full extent of all their arrangements and duration, and particularly the concessions resulting from the Contracts passed under date of 14th March, 1856, 8th April, 1857, and 23rd September, 1858.

*Recognition of Austrian Railway Conventions by Italy.*

The Italian Government also recognises and confirms the stipulations of the Convention of 20th November, 1861, between the Administration of the South Lombardo-Venetian and Central Italian Railway Company, as well as the Convention of the 27th February, 1866, between the Imperial Minister of Finances and Commerce and the South Austrian Society.

*Austrian Right of Devolution transferred to Italian Government.*

From the time of the exchange of the Ratifications of this Treaty, the Italian Government is bound by all the Rights and

Obligations resulting to the Austrian Government by the above-mentioned Convention, in regard to the Lines of Railway situated on the ceded Territory; consequently the right of Devolution which belonged to the Austrian Government.

*Payments still due by Concessionaries to be paid in full to Austria.*

The Payments which are still to be made of the sum due to the State by the Concessionaries in virtue of the Contract of 14th March, 1856, as an equivalent for the expense of construction of the said Railroads, shall be paid in full into the Austrian Exchequer.

*Austria to pay Credits of Building Contractors and Tradesmen, &c.*

The Credits of the building Contractors and Tradesmen, as well as the Indemnities for appropriation of land, which appertain to the time when the Railways in question were administered on account of the State, and which have not yet been paid, will be paid by the Austrian Government, and, in so far as they may be due from them in virtue of the Act of Concession by the grantees of the Austrian Government.

*Austria to have no control over Railways in ceded Territory.*

ART. XI. It is understood that the recovery of the debts, resulting from Paragraphs 12, 13, 14, 15, and 16 of the Contract of the 14th March, 1856, will give Austria no right of control or superintendence over the construction and working of Railways in the ceded Territory. The Italian Government engages on its part to communicate all the information which may be asked for on the subject by the Austrian Government.

*Convention to be entered into with South Austrian Railway Company.*

ART. XII. In order to extend to the Venetian Railways the Stipulations of Article XV of the Convention of the 27th February, 1866, the High Contracting Parties engage to enter as soon as possible, in concert with the South Austrian Railway Company, into a Convention for the administrative and economical separation of the Venetian and Austrian Railways.

*Division of Payment of Railway Guarantee.*

In virtue of the Convention of the 27th February, 1866, the guarantee that the State has to pay to the South Austrian Rail-

way Company shall be calculated on the basis of the net produce of the whole of the Venetian and Austrian Lines forming the networks of the South Austrian Railways actually conceded to the Company. It is understood that the Italian Government will take upon itself a proportionate part of that Guarantee corresponding to the Lines in the ceded Territory, and that the basis of the net produce of the Austrian and Venetian Lines conceded to the said Company shall still form the basis for the evaluation of that Guarantee.

*Increase of Railway Communications.*

ART. XIII. The Italian and Austrian Governments, desirous of extending the relations between the two States, engage to facilitate Railway Communications and to favour the establishment of new Lines to unite the Italian and Austrian networks. The Government of His Imperial Royal Apostolic Majesty promises besides to hasten as much as possible the conclusion of the Brenner Line destined to unite the Valley of the Adige with that of the Inn.

*Inhabitants or Natives of ceded Territory free to retire with their Moveables to Austria, and to keep their Immoveable Property in Lombardy.*

ART. XIV. Inhabitants or natives of the Territory ceded by the present Treaty will have, for the space of a year, from the day of the date on which the Ratifications are exchanged, and conditionally on a previous declaration before the competent authorities, full and entire power to export their Moveables, free of duty, and to retire with their families into the States of His Imperial and Royal Apostolic Majesty, in which case their quality of Austrian subjects will be retained by them. They will be at liberty to keep their immoveable property situated on the ceded Territory.

*Same liberty to Lombards living in Austria.*

The same power is granted reciprocally to natives of the ceded Territory of Lombardy living in the States of His Majesty the Emperor of Austria.

*Lombard Subjects to be free from Molestation.*

The Lombards who profit by these arrangements cannot be,

on account of their choice, disturbed on either side, in their person or their properties situated in the respective States.

*Time within which Lombards are to make their choice.*

The delay of one year is extended to two years, for the subjects, natives of the ceded Territory of Lombardy, who at the time of the exchange of the Ratifications of this Treaty are not within the Territory of the Austrian Monarchy. Their Declaration may be received by the nearest Austrian Mission, or by the superior authority of any province of the Monarchy.

*Lombardo-Venetian Subjects in Austrian Army to return to their Homes.*

ART. XV. The Lombardo-Venetian subjects in the Austrian army, will be immediately discharged from military service and sent back to their homes.

*Lombards free to remain in Austrian Service.*

It is understood that those amongst them who declare their wish to remain in the service of His Imperial and Royal Apostolic Majesty shall be free to do so, and will not be disturbed on this account, either in person or in property.

*Civil Servants free to remain in Austrian Service.*

The same guarantees are assured to the Civil Employés, natives of the Lombardo-Venetian Kingdom, who manifest their intention of keeping the offices they occupy in the Austrian Service.

*Civil Servants free to choose between the Austrian and Italian Service.*

Civil Servants born in the Lombardo-Venetian Kingdom shall have the choice, either of remaining in the Austrian Service, or entering the Italian Administration, in which case the Government of His Majesty the King of Italy engages, either to place them in positions analogous to those which they occupied, or allot them Pensions, the amount of which shall be fixed according to the Laws and Regulations in force in Austria. It is understood that the said Civil Servants shall act under the disciplinary Laws and Regulations of the Italian Administration.

*Italian Officers in Austrian Army free to remain or enter Italian Army.*

ART. XVI. Officers of Italian origin, who are actually in the Austrian Service, shall have the choice, either of remaining in the Service of His Imperial and Royal Apostolic Majesty or of entering the Army of His Majesty the King of Italy, with the Rank they hold in the Austrian Army, provided they make the request within 6 months after the Ratification of the present Treaty.

*Civil and Military Pensions.*

ART. XVII. The Pensions, both Civil and Military, regularly paid, and which were paid out of the public funds of the Lombardo-Venetian Kingdom, remain due to those entitled to them, and, if need be, to their widows and children, and will be paid in future by the Government of His Italian Majesty.

This stipulation is extended to the Pensioners, both Civil and Military, as well as to their widows and children, without distinction of origin, who keep their domicile in the ceded Territory, and whose salaries, paid up to 1814 by the then Government of the Lombardo-Venetian Provinces, then became payable by the Austrian Treasury.

*Archives of Republic of Venice.*

ART. XVIII. The Archives of the ceded Territories containing the titles to property, and documents regarding the administration of justice, as well as the Political and Historical Documents of the old Republic of Venice, will be handed over to the Commissioners who shall be appointed thereto, to whose care shall be delivered the objects of Art and Science specially belonging to the ceded Territory.

*Austrian Archives in ceded Territory to be made over to Austria.*

Reciprocally, the titles to property, and documents connected with the administration and civil justice applying to the Austrian Territories, which may be in the Archives of the ceded Territory, will be handed over to the Commissioners of His Imperial and Royal Apostolic Majesty.

The Governments of Italy and Austria engage to consult each other, at the request of the superior administrative authorities, respecting all the documents and information relative to the

affairs which concern both the ceded Territory and the adjoining country.

*Permission to make Copies of Documents.*

They also engage to allow authentic Copies to be taken of Historical and Political Documents which may interest the Territories remaining respectively in the possession of the other Contracting Power, and which, in the interest of science, cannot be taken from the Archives to which they belong.

*Customs Facilities.*

ART. XIX. The High Contracting Powers engage reciprocally to grant the greatest possible Customs Facilities to the bordering Inhabitants of the two Countries for the improvement of their property and the exercise of their trade.

*Renewal of Treaties and Conventions.*

ART. XX. The Treaties and Conventions which have been confirmed by Article XVII of the Treaty of Peace signed at Zurich, on the 10th November, 1859 (**No. 303**), shall be temporarily renewed for one year, and shall extend to all the Territories of the Kingdom of Italy. In the case where those Treaties and Conventions shall not be denounced 3 months before the expiration of a year dating from the exchange of the Ratifications, they shall remain in force, and so on, from year to year.

ART. XXI. The two High Contracting Powers reserve to themselves to enter, as soon as possible, into negotiations on the widest bases reciprocally to facilitate business between the two Countries.

*Renewal of Treaty of Commerce of 18th October, 1851.*

Until then, and for the term fixed in the preceding Article, the Treaty of Commerce and Navigation of the 18th October, 1851, shall remain in force and shall apply to the whole Territory of the Kingdom of Italy.

*Restoration of Personal and Real Estates to Princes and Princesses of the House of Austria.*

ART. XXII. The Princes and Princesses of the House of Austria, as well as the Princesses who have entered into the Imperial Family by marriage, shall, on proving their Titles, recover their

Private Property in full and entire possession, as well Personal as Real, which they shall be allowed to enjoy and to dispose of without being molested in any manner in the enjoyment of their Rights.

*Reservation of the Rights of the State and of Individuals.*

Nevertheless, all the Rights of the State and of Individuals are reserved to be prosecuted by legal means.

*Armistice to Individuals implicated in Political Events.*

ART. XXIII. With a view to contribute by every effort to quiet the public mind, the King of Italy and His Majesty the Emperor of Austria declare and promise that in their respective Territories there shall be a full and entire armistice for all individuals compromised on account of Political Events in the Peninsula up to the present time; consequently no individual, no matter what may be his rank or position in society, shall be prosecuted, annoyed, or troubled, in person or property, or in the exercise of his rights, on account of his conduct or political opinions.

*Ratifications.**

ART. XXIV. The present Treaty shall be ratified, and the Ratifications exchanged at Vienna within a fortnight, or earlier if possible.

In faith of which, the respective Plenipotentiaries have signed it, and have affixed their Seals thereunto.

Done at Vienna, on the 3rd day of the month of October, of the year of Grace, 1866.

(L.S.) MENABREA.
(L.S.) WIMPFFEN.

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ADDITIONAL ARTICLE.

*Periods of Payments to be made by Italy on the Monte-Lombardo Debt, and for War Material.*

The Government of His Majesty the King of Italy engages itself towards the Government of His Imperial and Royal Apostolic Majesty to pay 35,000,000 florins, Austrian value, equivalent to 87,500,000 francs, stipulated by Article VI of the present Treaty, in the manner and at the periods hereinafter determined:

* Ratifications exchanged at Vienna, 12th October, 1866.

A Map to illustrate

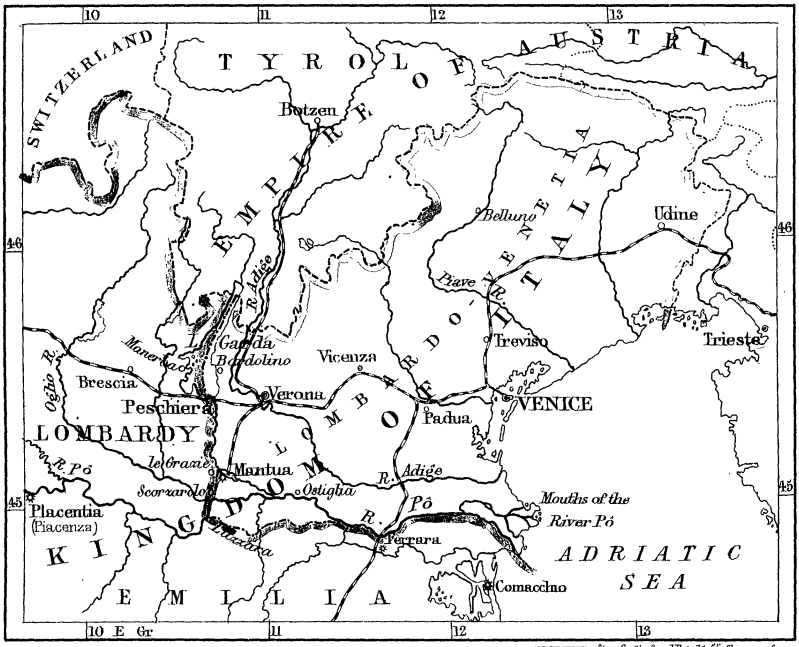
# THE TREATY BETWEEN AUSTRIA AND ITALY

3RD OCTOBER 1866.

*Also the Treaty of Zurich, 10th November* **1859**.

Scale of English Miles

0 10 20 30 40 50 60




*Boundary under the Treaty of 10th Novr 1859, coloured Green.*

*Boundary under the Treaty of 3rd Octr 1866, ..... " ..... Red.*

Stanford's Geog.l Estab.t 55 Charing Cross

MAP

LOMBARDO-VENETIA

7,000,000 florins shall be paid in cash by 7 Bills or Treasury Bonds to the order of the Austrian Government, payable at Paris, at the residence of the first Bankers, or of an Establishment of the first order, without interest, on the expiration of the 3rd month, dating from the day of the signature of the present Treaty, and which will be handed to the Plenipotentiary of His Imperial Royal and Apostolic Majesty at the time of the exchange of Ratifications.

The payment of the remaining 28,000,000 florins shall take place in Vienna cash, in 10 Bills or Treasury Bonds to the order of the Austrian Government, payable at Paris, at the rate of 2,800,000 florins (Austrian value) each. These 10 Bills or Treasury Bonds shall likewise be handed to the Plenipotentiary of His Imperial and Royal Apostolic Majesty on the exchange of the Ratifications. The first of these Bills, or Treasury Bonds, will be made two months after the payment of the Bills or Treasury Bonds of 7,000,000 florins above stipulated. For that date, as for the others following, becoming due on every succeeding two months, the interest will be reckoned at 5 per cent., dating from the first day of the month which will follow the exchange of the Ratifications of the present Treaty.

The payment of the Interest shall take place at Paris at the expiration of each Bill or Treasury Bond.

The present Additional Article shall have the same force and value as if inserted word for word in the Treaty of this day.

Vienna, 3rd October, 1866.

(L.S.) MENABREA.
(L.S.) WIMPFFEN.

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[Conventions between Austria and France were signed on the 24th August and 1st October, 1866, regulating the details for the Cession of Venice to France; and a Procès-Verbal delivering Venice over to the Italian Government was signed by the French Commissioner on the 19th October, 1866.

On the 9th October, 1866, a Procès-Verbal delivering Peschiera over to the Municipality of that Place was signed by the French Commissioner; and on the 11th of the same month a Procès-Verbal was signed delivering Mantua over to the Municipality of that Town.]

**No. 393.**—*PATENT of the King of Prussia, for taking possession of the Kingdom of Hanover. Babelsberg, 3rd October,* 1866.

(Translation.)

We, William, by the Grace of God, King of Prussia, &c., hereby proclaim to every one:

Whereas in consequence of a War begun by Hanover in alliance with Austria, and in violation of the Federal Law then in force, a War which we, in just defence, have victoriously concluded, the Countries formerly united to the Kingdom of Hanover have been occupied by us, and we have determined to unite them with our Monarchy; for which purpose we have, with the assent of both Houses of the Landtag, issued and proclaimed the Law of the 20th of September last (**No. 390**).

We, therefore, by this Patent, take possession of the Countries which formed the late Kingdom of Hanover, viz.: the Principalities of Calenberg, Göttingen, Grubenhagen, Lüneburg, Osnabrück, Hildesheim, with the Towns of Goslar and East Friesland, with the Harling Territory; the Duchies of Bremen, Verden, and Arensberg-Meppen and the Hanoverian portion of the Duchy of Lauenburg; the Seigneury of Lingen; the Counties of Hoya, Diepholz, Hohnstein, and Bentheim, and the Territory of Hadeln; with all their Rights of Sovereignty and Supremacy, and we incorporate them with our Monarchy, including all their appurtenances and claims.

We will add the corresponding Titles to our Royal Title.

We command that the Prussian Eagles be set up on the Frontiers to indicate our Sovereignty, that the Arms hitherto displayed be replaced by our Arms, and that the official seals be provided with the Prussian Eagle.

We command all Inhabitants of the late Kingdom of Hanover, now united with our Monarchy, to recognise us in future as their legitimate King and Sovereign, and to observe with dutiful obedience our laws, ordinances, and commands.

We will protect every one in the possession and enjoyment of his justly acquired personal rights, and leave the officials, who are to be sworn into our service, in the enjoyment of their salaries on

condition of the faithful performance of their duties. Pending the introduction of the Prussian Constitution, we will exercise the legislative power ourselves.

We will maintain the Laws and Institutions of the Countries hitherto belonging to Hanover,* in so far as they are the expression of authorised peculiarities, and can remain in force without prejudice to the unity of the State, and the requirements of its interests.

Our present Governor-General is accordingly charged with the duty of taking possession.

Such is our will.

Given at the Palace of Babelsberg, 3rd October, 1866.

(L.S.) WILLIAM.

| | |
|---|---|
| Co. v. Bismarck-Schonhausen. | Bar. v. d. Heydt. |
| v. Roon. | Co. v. Itzenplitz. |
| v. Muhler. | Co. zur Lippe. |
| v. Selchow. | Co. zu Eulenburg. |

* The King of Hanover protested against this Annexation on the 23rd September, 1866. On the 6th October following a Proclamation was addressed by the King to his Subjects releasing them from their Allegiance, but with certain reserves.

**No. 394.**—*PATENT of the King of Prussia, for taking possession of Hesse-Cassel. Babelsburg, 3rd October*, 1866.

(Translation.)

We, William, by the Grace of God, King of Prussia, &c., hereby proclaim to every one:

Whereas, in consequence of a War begun by Electoral Hesse in alliance with Austria, and in violation of the Federal law then in force, a War which we, in just defence, have victoriously concluded, the Territories formerly united to the Electorate of Hesse have been occupied by us, and we have determined to unite them with our Monarchy; for which purpose we have, with the assent of both Houses of the Landtag, issued and proclaimed the Law of the 20th of September last (**No. 390**).

We, therefore, by this Patent, take possession of the Territories which formed the late Electorate of Hesse, namely, the Landgraviate of Hesse, the Grand Duchy of Fulda, the Principalities of Hersfeld, Hanau, Fritzlar, and Isenburg, the Counties Ziegenhain, Nidda, and Schaumburg, and the Lordship of Schmalkalden, with all their Rights of Sovereignty and Supremacy, and incorporate them with our Monarchy, including all their appurtenances and claims.

We will add the corresponding Titles to our Royal Title.

We command that the Prussian Eagles be set up on the Frontiers, to indicate our Sovereignty, that the Arms hitherto displayed be replaced by our Arms, and that the official seals be provided with the Prussian Eagle.

We command all Inhabitants of the late Electorate of Hesse, now united with our Monarchy, to acknowledge us in future as their rightful King and Sovereign, and to observe with dutiful obedience, our laws, ordinances, and commands.

We will protect every one in the possession and enjoyment of his justly acquired personal rights, and leave the officials, who are to be sworn into our service, in the enjoyment of their salaries, on condition of the faithful performance of their duties. Pending the introduction of the Prussian Constitution, we will exercise the legislative power ourselves.

We will maintain the laws and institutions of the lands

hitherto belonging to the Electorate of Hesse, in so far as they are the expression of authorised peculiarities, and can remain in force without prejudice to the unity of the State, and the requirements of its interests.

Our present Governor-General is directed by us to take possession accordingly.

Such is our will.

Given at the Palace of Babelsberg, 3rd October, 1866.

(L.S.) WILLIAM.

Co. v. Bismarck-Schonhausen.
v. Roon.
v. Muhler.
v. Selchow.
Bar. v. d. Heydt.
Co. v. Itzenplitz.
Co. zur Lippe.
Co. zu Eulenburg.

**No. 395.**—*PATENT of the King of Prussia, for taking possession of the Duchy of Nassau. Babelsberg, 3rd October*, 1866.

(Translation.)

We, William, by the Grace of God, King of Prussia, &c., hereby proclaim to every one:

Whereas, in consequence of a War begun by Nassau in alliance with Austria, and in violation of the Federal law then in force, a War which we, in just defence, have victoriously concluded, the Territories formerly united to the Duchy of Nassau have been occupied by us, and we have determined to unite them with our Monarchy; for which purpose we have, with the assent of both Houses of the Landtag, issued and proclaimed the law of the 20th September last (**No. 390**).

We, therefore, by this Patent, take possession of the Territories which formed the late Duchy of Nassau, with all Rights of Sovereignty and Supremacy, and incorporate them with our Monarchy, including all their appurtenances and claims.

We will add the corresponding Title to our Royal Title.

We command that the Prussian Eagle be set up on the Frontiers to indicate our Sovereignty; that the Arms hitherto displayed be replaced by our Arms, and that the official Seals be provided with the Prussian Eagle.

We command all inhabitants of the late Duchy of Nassau, now united with our Monarchy, to acknowledge us in future as their rightful King and Sovereign, and to observe with dutiful obedience our laws, ordinances, and commands.

We will protect every one in the possession of his justly acquired personal rights, and leave the officials, who are to be sworn into our service, in the enjoyment of their salaries, on condition of faithful performance of their duties. Pending the introduction of the Prussian Constitution, we will exercise the legislative power ourselves.

We will maintain the laws and institutions of the lands hitherto belonging to the Duchy of Nassau, in so far as they are the expression of authorised peculiarities, and can remain in force

without prejudice to the unity of the State, and the requirements of its interests.

Our present Civil Governor is directed by us to take possession accordingly.

Such is our will.

Given at the Palace of Babelsberg, 3rd October, 1866.

(L.S.) WILLIAM.

Co. v. BISMARCK-SCHONHAUSEN. BAR. v. D. HEYDT.
v. ROON. CO. v. ITZENPLITZ.
v. MUHLER. CO. ZUR LIPPE.
v. SELCHOW. CO. ZUR EULENBURG.

**No. 396.**—*PATENT of the King of Prussia, for taking possession of the Free Town of Frankfort.* Babelsberg, 3rd October,* 1866.

(Translation.)

We, William, by the Grace of God, King of Prussia, &c., hereby proclaim to every one:

Whereas, in consequence of a War begun by Austria and her Allies, and by us, in just defence, victoriously concluded, we have occupied the Free Town of Frankfort-on-the-Main, and have determined to unite it with our Monarchy, for which purpose we have, with the assent of both Houses of the Landtag, issued and proclaimed the Law of the 20th September last (**No. 390**).

We, therefore, by this Patent take possession of the late Free Town of Frankfort-on-the-Main, with all Rights of Sovereignty and Supremacy, and incorporate it in our Monarchy, together with the localities of Bonames, Bornheim, Hausen, Niederrad, Niederursel, and Oberrad, and all their appurtenances and Claims.

We will add the corresponding Titles to our Royal Title.

We command that the Prussian Eagles be set up on the Frontiers to indicate our Sovereignty; that the Arms hitherto displayed be replaced by our Arms; and that the official Seals be provided with the Prussian Eagle.

We command all inhabitants of the late Free Imperial town of Frankfort-on-the-Main and the localities belonging to its Territory, to acknowledge us in future as their rightful King and Sovereign, and to observe with dutiful obedience our laws, ordinances, and commands.

We will protect every one in the possession and enjoyment of his justly acquired personal rights, and leave the officials, who are to be sworn into our service, in the enjoyment of their salaries, on condition of the faithful performance of their duties. Pending the introduction of the Prussian Constitution, we will exercise the legislative power ourselves.

We will maintain the laws and institutions of the late Free Town of Frankfort-on-the-Main, in so far as they are the expression of authorised peculiarities, and can remain in force without

* The Inhabitants of Frankfort protested against the Annexation of their Territory to Prussia on the 24th September, 1866.

prejudice to the unity of the State and the requirements of its interests.

Our Acting Civil Commissioner is directed by us to take possession accordingly.

Such is our will.

Given at the Palace of Babelsberg, 3rd October, 1866.

(L.S.) WILLIAM.

Co. v. Bismarck-Schonhausen. Bar. v. d. Heydt.
v Roon. Co. v. Itzenplitz.
v. Muhler. Co. zur Lippe.
v. Selchow. Co. zur Eulenburg.

## No. 397.—*TREATY OF PEACE between Prussia and Saxe-Meiningen. Signed at Berlin, 8th October*, 1866.

ART. TABLE.

Preamble.
1. Accession of *Saxe-Meiningen* to Preliminary Treaty of 26th July, 1866, and Treaty of Alliance of 18th August, 1866.
2. Renewal of Treaties.
3. Suppression of *Tour and Taxis* Post.
4. Use of Telegraph Lines and Stations.
5. Cession to *Prussia* of Village of *Abt-Löbnitz*.
6. Cessions to *Prussia* by *Saxe-Meiningen*.
7. Ratifications.

Right of Duke of *Saxe-Meiningen* to make Private Telegraphs.

(Translation.)

HIS Majesty the King of Prussia, and His Highness the Duke of Saxe-Meiningen-Hildburghausen, animated by the desire of restoring the reciprocal friendly relations which have been interrupted by the War, and regulating them for the future, have appointed as their Plenipotentiaries, with a view to a Treaty of Peace to be concluded for that purpose;

His Majesty the King of Prussia, his actual Privy Councillor, Chamberlain, and Envoy, Charles Frederick von Savigny, &c.;

His Highness the Duke of Saxe-Meiningen, his Resident Minister, Count von Beust, &c.;

Who, after exchanging their Full Powers, which were found in good order, have agreed upon the following Treaty Stipulations:

*Accession of Saxe-Meiningen to Preliminary Treaty of 26th July, 1866, and Treaty of Alliance of 18th August, 1866.*

ART. I. His Highness the Duke of Saxe-Meiningen-Hildburghausen, whilst he acknowledges and accepts the Stipulations of the Preliminary Treaty concluded between Prussia and Austria at Nikolsburg, on the 26th July, 1866 (**No. 383**), in so far as they affect the future of Germany, accedes on his own part and for the Duchy, to Articles I to VI of the Treaty of Alliance concluded at Berlin on the 18th August last,* between His Majesty

* See note, page 1710.

the King of Prussia of the one part, and His Royal Highness the Grand Duke of Saxe-Weimar, and other North German Governments of the other part, and declares those Articles binding in all their Stipulations, for himself and the Duchy of Saxe-Meiningen-Hildburghausen; as His Majesty the King of Prussia extends the assurances contained in those Articles likewise to His Highness the Duke of Saxe-Meiningen-Hildburghausen.

*Renewal of Treaties.*

ART. II. The Treaties and Conventions existing between the High Contracting Parties before the breaking out of Hostilities, especially the Customs-Union Treaties of 28th June, 1864, and of 16th May, 1865, and the agreements in connection therewith, come again into force from the date of the exchange of the Ratifications of the present Treaty, in so far and for so long as they are not affected or altered by the Stipulations in Article I aforesaid, by the accession of His Highness the Duke to the North German Confederation, and by the arrangements to be made in the latter.

*Suppression of Tour and Taxis Post.*

ART. III. His Highness the Duke declares beforehand that he concurs in the arrangements which Prussia may make with the Princely House of Taxis for doing away with the Tour and Taxis Post; in consequence of this the whole of the Postal Service in the Duchy of Saxe-Meiningen will pass over to Prussia.

*Use of Telegraph Lines and Stations.*

ART. IV.* His Highness the Duke grants to the Royal Prussian Government the exclusive right of unrestricted construction and use of Telegraph Lines and Telegraph Stations throughout the Territory of the Duchy.

*Cession to Prussia of Village of Abt-Löbnitz.*

ART. V. His Highness the Duke renounces all Rights of Sovereignty hitherto exercised by him in the Village of Abt-Löbnitz, and cedes them without Indemnity to His Majesty the King of Prussia.

* See page 1770.

[Peace.]

*Cessions to Prussia by Saxe-Meiningen.*

ART. VI. His Highness the Duke consents to the separation of the Prussian parochial district of Christes, hitherto forming part of the parish of Metzels in the Duchy of Saxe-Meiningen, and also to the separation of the Prussian parochial districts of Bischofrod Eichenberg, and Kloster Vessra, with the forest house of Zollbrück and the Customs office, hitherto forming part of the parish of Lengefeld, in the Duchy of Saxe-Meiningen, and the sub-parochial localities of Keulrod Alhstädt, and Neuhof; and this separation is to take place without Indemnity on the part of Prussia, in such wise that any Claims for Indemnification from the said Meiningen parishes will be wholly attended to by the Ducal Saxe-Meiningen Government.

*Ratifications.*

ART. VII. The Ratification of the present Treaty shall take place within 8 days.

In witness whereof the respective Plenipotentiaries have signed and sealed this Treaty in duplicate.

Done at Berlin, 8th October, 1866.

(L.S.) v. SAVIGNY. (L.S.) COUNT BEUST.

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*Berlin, 8th October*, 1866.

AT the conclusion of the Treaty of Peace between Prussia and Saxe-Meiningen this day, the Undersigned have, at the desire of the Ducal Meiningen Plenipotentiary, agreed upon the following interpretation to Article IV of the said Treaty:

*Right of Duke of Saxe-Meiningen to make Private Telegraphs.*

That it is to be understood, as a matter of course, that the Duke has the right of making Private Telegraphs from his Palaces to the nearest Royal Telegraph station, and that the Railway Boards in the Duchy are allowed the use of a working telegraph.

Done as above.

(L.S.) v. SAVIGNY. (L.S.) COUNT BEUST.

## No. 398.—*TREATY OF PEACE between Prussia and Saxony. Signed at Berlin, 21st October, 1866.*

ART. TABLE.

Preamble.
1. Peace and Friendship.
2. Accession to Preliminary Treaty of 26th July, 1866.
3. Re-organization of *Saxon* Troops.
4. Garrison of Fortress of *Königstein.*
5. International Representation of *Saxony.*
6. War Indemnity to *Prussia.*
7. Guarantee for Payment of Indemnity.
8. Discount on Payments in Advance.
9. *Prussian* Military Government and Civil Commissariat for *Saxony* to cease.
10. Special Agreement to regulate Property Affairs. Claim of *Saxony* upon *Prussia.*
11. Renewal of *Zollverein* Treaty of 16th May, 1865.
12. Renewal of Treaties and Conventions.
13. Formation of Railway from *Leipsig* with *Berlin-Anhalt* Line. Special Arrangements to be settled in separate Treaty.
14. *Saxon* portion of *Görlitz* and *Dresden* Railway in *Prussia* to pass to *Prussia.* Rights of *Saxony* to work *Saxon* part of Railway to *Görlitz.*
15. Compensation to *Saxony* for Railway Cession.
16. Postal Service.
17. *Prussian* Telegraph Rights in *Saxony. Saxon* Telegraph Rights in *Prussia.* Telegraph Commissioners to be appointed.
18. Abolition of Salt Monopoly in *Saxony.*
19. Non-molestation of *Saxon* Subjects for Conduct during the War. Consent of *Prussia. Saxon* Prisoners in *Prussia* to be set free.
20. Abolition of Rights of University of *Leipsig.* Indemnity to the University.
21. Cessions to *Prussia* by *Saxony.*
22. Restoration by *Prussia* of Articles taken during the War.
23. Ratifications.

*Special Stipulations in execution of Article IV.*

Delivery of Fortress of *Königstein* to *Prussia.*

*Protocol, explanatory of Article V.*

Diplomatic Relations with Foreign Countries.

(Translation.)

His Majesty the King of Prussia and His Majesty the King of Saxony, animated by the desire of restoring the reciprocal

friendly relations which have been interrupted by the War, and of regulating them for the future, have appointed as their Plenipotentiaries, with a view to a Treaty of Peace to be concluded for that purpose,

His Majesty the King of Prussia, his actual Privy Councillor, Chamberlain, and Envoy, &c., Charles Frederick von Savigny; and

His Majesty the King of Saxony, his State Minister of Finance, &c., Richard Baron von Friesen; and his actual Privy Councillor, &c., Charles Adolphus Count von Hohenthal;

Who, after exchanging their Full Powers, which were found in good order, have agreed upon the following Treaty Stipulations:

*Peace and Friendship.*

ART. I. There shall henceforth be Peace and Friendship for ever between His Majesty the King of Prussia, and His Majesty the King of Saxony, their Heirs and Successors, their States and Subjects.

*Accession to Preliminary Treaty of 26th July, 1866.*

ART. II. His Majesty the King of Saxony, whilst he acknowledges and accepts the Stipulations of the Preliminary Treaty concluded between Prussia and Austria, at Nikolsburg on the 26th July, 1866 (**No. 383**), in so far as they affect the future of Germany, and of Saxony in particular, accedes for himself, his Heirs and Successors, and for the Kingdom of Saxony, to Articles I to VI of the Treaty of Alliance, concluded at Berlin on the 18th August last,* between His Majesty the King of Prussia, of the one part, and His Royal Highness the Grand Duke of Saxe-Weimar and other North German Governments of the other part, and declares them binding for himself, his Heirs and Successors, and for the Kingdom of Saxony; as His Majesty the King of Prussia extends the assurances therein contained likewise to the Kingdom of Saxony.

*Reorganisation of Saxon Troops.*

ART. III. As the Saxon Troops will consequently have to form an integral part of the North German Federal Army, and, as such, to come under the supreme command of the King of Prussia, their necessary reorganisation shall take place so soon as the general arrangements to be made for the North German Confede-

* See note, page 1710.

ration on the basis of the proposals of 10th June last, for the reform of the Confederation, shall have been settled.

*Garrison of Fortress of Königstein.*

ART. IV.* In the meantime, the special Stipulations agreed to at the same time as the present Treaty, shall come into force,—in regard to garrisoning the Fortress of Königstein, the return of the Saxon Troops to Saxony, the necessary granting of furloughs to the men, and the preliminary disposal of the Saxon Troops, which are to be replaced on the peace footing.

*International Representation of Saxony.*

ART. V.† The Royal Saxon Government also declares its willingness to regulate the International Representation of Saxony, according to the principles which will be authoritative for the North German Confederation in general.

*War Indemnity to Prussia.*

ART. VI. His Majesty the King of Saxony engages to pay to His Majesty the King of Prussia, to cover part of the expenses which Prussia has been put to by the War, and in fulfilment of the reservation in Article V of the Nikolsburg Preliminary Treaty of 26th July, 1866 (**No. 383**), the sum of 10,000,000 thalers, in 3 equal instalments.

The first instalment becomes due on the 31st December next, the second on the 28th February, and the third on the 30th April, next.

*Guarantee for Payment of Indemnity.*

ART. VII. His Majesty the King of Saxony Guarantees the payment of the said sum by the deposit of 4 per cent. Exchequer Bills of the Royal Saxon State Debt, 3 per cent. Royal Saxon National Bonds of the year 1830, or Royal Saxon Provincial Revenue Bills bearing interest at $3\frac{1}{2}$ per cent., to the amount of the sum to be guaranteed. The Securities to be deposited will be reckoned at the current rate of the day, and the amount of the Guarantee will be increased by 10 per cent.

*Discount on Payments in Advance.*

ART. VIII. His Majesty the King of Saxony is at liberty to pay the above Indemnity, wholly or partially, before the sti-

* See also page 1779. † See page 1781.

pulated time, with the deduction of a discount of 5 per cent. per annum.

*Prussian Military Government and Civil Commissariat for Saxony to cease.*

ART. IX. On the exchange of the Ratifications of this Treaty, the Royal Prussian Military Government for Saxony, as well as the Royal Prussian Civil Commissariat at Dresden, will cease to act, without prejudice to the special Stipulations provided in Article IV; the daily payment of 10,000 thalers to the Commissariat will also cease at the same time.

*Special Agreement to regulate Property Affairs.*

ART. X. The arrangement of the Property affairs, founded by the late Germanic Confederation, is reserved for special Agreement.

*Claim of Saxony upon Prussia.*

His Majesty the King of Saxony, specially and expressly reserves a Claim to more than 200,000 thalers, which Saxony has expended and liquidated on occasion of the Federal execution in Holstein.

*Renewal of Zollverein Treaty of 16th May, 1865.*

ART. XI. Under reservation of the arrangements to be made in the Constitution of the North German Confederation, respecting Customs and Commercial affairs on the basis of the Federal Reform proposals of 10th June last, the Zollverein Treaty of 16th May, 1865, and the Agreements in connection therewith, which have been made inoperative by the breaking out of the War, shall again come temporarily into force between the High Contracting Parties from the date of the exchange of the Ratifications of the present Treaty, with the condition that each of the High Contracting Parties shall be at liberty to put an end to their operation, after 6 months' notice to that effect.

*Renewal of Treaties and Conventions.*

ART. XII. All other Treaties and Conventions concluded between the High Contracting Parties before the War are hereby again brought into force, in so far as they are not affected by the Stipulations mentioned in Article II, and by the accession to the North German Confederation.

*Formation of Railway from Leipsig with Berlin-Anhalt Line.*

ART. XIII. The High Contracting Parties reciprocally engage to allow and to promote the formation of a Railway, starting immediately from Leipsig, and in direct communication therewith the Thuringian and the Berlin-Anhalt line, making joint use of part of one of those lines, if expedient, and proceeding by Pegau to Zeitz. His Majesty the King of Saxony will grant to the Company which shall receive the concession for the part of the said Railway situated in Prussian Territory, the concession for the length of it situated in Saxon Territory, on the same conditions as have been lately made in Saxony for concessions to Private Railway Companies in general.

*Special Arrangements to be settled in Separate Treaty.*

The special arrangements required for the execution of this Railway will be settled by a separate State Treaty, for the conclusion of which Plenipotentiaries on both sides will meet as soon as may be at a place to be hereafter agreed upon.

*Saxon portion of Görlitz and Dresden Railway in Prussia to pass to Prussia.*

ART. XIV. The High Contracting Parties have agreed that the property of the Royal Saxon Government in the portion of the Görlitz and Dresden Railway which is situated in Prussian Territory, including the joint Right of Property in the Görlitz Station, shall pass over to the Royal Prussian Government with the Ratification of the present Treaty.

*Rights of Saxony to work Saxon part of Railway to Görlitz.*

On the other hand, the Royal Saxon Government will continue to work the part of the line from the Frontiers of the two Countries to Görlitz, and to make joint use of the Görlitz Station gratis provisionally, until the expiration of the 30 years' term fixed in Article XIV of the State Treaty of 24th July, 1843, with the reservation of any further Agreement to be then made. The Royal Saxon Government will deliver to the Royal Prussian Government annually the net proceeds of working the said portion of the line, as shown by the accounts. The Royal Prussian Government undertakes that, in the projected alteration of the Görlitz Railway Station, care shall be taken to provide the Royal Saxon Railway Board with all the necessary space and

facilities for the unobstructed and uninterrupted working of the line.

*Compensation to Saxony for Railway Cessions.*

ART. XV. In order to secure to the Royal Saxon Government the Indemnity contemplated in the State Treaty of 24th July, 1843, for the event of the subsequent Cession of its Property in the part of the Railway from the Frontier to Görlitz, and its joint Property in the Görlitz Railway Station, His Majesty the King of Prussia will allow a deduction from the War Costs Indemnity fixed in Article VI of the present Treaty, to the amount of 1,000,000 thalers, as a compensation for the Cession of Property by His Majesty the King of Saxony, agreed to in Article XIV of the present Treaty.

*Postal Service.*

ART. XVI. As, according to Article VI, § 10 of the reform proposals of 10th June last, the Postal Service is one of those matters which are subject to the legislation and supervision of the Federal Power; and as His Majesty the King of Saxony accedes to the North German Confederation on the basis of those proposals, so he promises that from henceforth he will not allow anything to be done that might in any way interfere with the Definitive Arrangement of the Postal Service in the North German Confederation, either by concluding Treaties with other States, or in any other way whatever.

*Prussian Telegraph Rights in Saxony.*

ART. XVII. The Royal Saxon Government transfers to the Royal Prussian Government the right of making use of the Telegraph Service within the Kingdom of Saxony to the same extent as that right now appertains to the Royal Saxon Government. In so far as the Royal Saxon Government has the right of maintaining Telegraph establishments in other States, it cedes its rights arising from existing Treaties to the Royal Prussian Government, which reserves to itself the negotiations with third Governments as to the exercise of those Rights.

*Saxon Telegraph Rights in Prussia.*

The same advantages are reserved to the despatches of His Majesty the King of Saxony, the members of the Royal Family, the Court Officers, and Ministers, and other public authorities of

the Kingdom of Saxony, as to the similar despatches of the Royal Prussian authorities. The Railway Boards in the Kingdom of Saxony retain, as a matter of course, the use of their working Telegraph.

*Telegraph Commissioners to be appointed.*

Commissioners on both sides will meet immediately after the exchange of the Ratifications of the Treaty of Peace, in order to arrange for the execution of all the stipulations contained in the present Article.

*Abolition of Salt Monopoly in Saxony.*

ART. XVIII. His Majesty the King of Saxony declares that he agrees to the Abolition of the Salt Monopoly existing in Saxony, as in most of the Zollverein States, so soon as the Abolition takes place in Prussia, and that from the time of the said Abolition the taxation of Salt shall be for the common account of the States interested. The details of the arrangements are reserved for further agreement.

*Non-molestation of Saxon Subjects for conduct during the War.*

ART. XIX. His Majesty the King of Saxony declares that none of his Subjects, nor any one else that is subject to the Saxon laws shall be called to account penally or in the way of police or discipline, or be injured in his honorary rights, for any transgression concerning the relations between Prussia and Saxony during the continuance of the state of War, or any offence against the person of His Majesty, or for high treason, treason against the State, or any other conduct endangering the security of the State, or finally, for his Political Conduct during the aforesaid time. Any investigations of this kind which have been already instituted shall immediately be quashed, together with the costs thereof.

*Consent of Prussia.*

His Majesty the King of Prussia declares his Consent that any transgressions or offences of the aforesaid kind that may have been committed in Saxony during the said time against the person of His Majesty the King of Prussia or against the Prussian State, shall be dealt with according to the same principles.

*Saxon Prisoners in Prussia to be set Free.*

Such persons as have been sent away from Saxony, and as may still be in Prussian custody, shall be immediately set Free, in so far as it is allowable by the Prussian laws.

*Abolition of Rights of University of Leipsig. Indemnity to the University.*

ART. XX. His Majesty the King of Saxony acknowledges the unrestricted *jus reformandi* of His Majesty the King of Prussia in reference to the Foundations of Merseburg, Naumburg, and Zeitz, consents to the Abolition of the Rights hitherto pertaining to the University of Leipsig in regard to certain Canonicates in those Foundations, and renounces all Rights and Claims accruing to the Royal Saxon Government or the University of Leipsig from the statutes of the Foundations, or from former Treaties and Conventions, any stipulations whereof to the contrary are hereby expressly annulled. The Royal Saxon Government undertakes the Indemnification of the University of Leipsig for the total suppression of its relations with the Foundations, as well as that of the present possessors *ad dies muneris*, and engages to hold the Royal Prussian Government harmless against all Claims for Indemnification from the University or separate faculties and professors.

*Cessions to Prussia by Saxony.*

ART. XXI. His Majesty the King of Saxony consents to the separation:

1. Of the Prussian parochial district of Werben, hitherto forming part of the Saxon parish of Stoentzsch;

2. Of the Prussian parochial district of Zitzschen, hitherto forming part of the Saxon parish of Gross-Dalzig;

3. Of the Prussian commune of Döhlen, hitherto forming part of the Saxon parish of Quesitz;

4. Of the Prussian communes of Könnderitz, Minkwitz, and Traupitz, hitherto forming part of the Saxon parish of Auligk;

5. Of the Prussian commune of Cossen, hitherto forming part of the Saxon parish of Püchau; and

6. Of the Prussian communes of Collou and Bunitz, hitherto forming part of the Saxon parish of Thalwitz;

And this without any Indemnification on the part of Prussia,

so that any Claims for Indemnification made by the said Saxon parishes are to be met by the Royal Saxon Government alone.

*Restoration by Prussia of Articles taken during the War.*

ART. XXII. His Majesty the King of Prussia will give orders for the speedy Restoration of any Articles in the possession of the State taken away during the War in Saxony, and not yet returned, which are not to be looked upon as Spoils of War, according to existing International Law. Amongst these articles are specially included the locomotives, tenders, carriages, and rails seized upon the State Railways, as well as the stores of precious metals and other saleable produce taken from the Royal Mines near Freiberg. With regard to the latter, the necessary arrangements are to start from the principle that the working lead found therein is to be restored to the Royal Saxon Government, on payment of the value of the lead which it contains.

*Ratifications.**

ART. XXIII. The Ratification of the present Treaty is to take place by the 28th of the current month and year at the latest.

In witness whereof the respective Plenipotentiaries have signed this Treaty in duplicate, and have affixed their Seals to it.

Done at Berlin, 21st October, 1866.

(L.S.) SAVIGNY. (L.S.) FRIESEN.

(L.S.) HOHENTHAL.

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SPECIAL STIPULATIONS *in execution of Article IV of the Treaty of Peace of* 21*st October*, 1866.

*Delivery of Fortress of Königstein to Prussia.*

WITH reference to Article IV of the Treaty of Peace of this date, the Undersigned Plenipotentiaries have agreed upon the following points:

1. His Majesty the King of Saxony will, without delay, and even before the Ratifications of the said Treaty of Peace are exchanged, give up the Fortress of Königstein to His Majesty the King of Prussia.

2. The occupation of the Fortress is to be effected in such

* Ratifications exchanged at Berlin, 24th October, 1866.

wise that the Royal Saxon Infantry now therein will be relieved by a detachment of the Royal Prussian Infantry, with a reciprocal exchange of military honours, and the Royal Saxon Governor (Commandant), will transfer his functions to a Governor (Commandant), who is to be appointed by His Majesty the King of Prussia. The Saxon Infantry of the Garrison will march out with arms and baggage, and proceed at once to the quarters appointed for them.

3. All the Saxon artillery, arms, ammunition, equipments, stores, provisions, and all other State Property now in the Fortress or yet to be brought there, remain the indisputable property of the Royal Saxon Government, which has therefore the free and unobstructed disposal of all the said Articles, and may either leave them at Königstein, or take them away at any time.

4. To take care of the aforesaid Royal Saxon State Property, the detachment of Royal Saxon artillery will remain as part of the Garrison of the Fortress, but under the chief command of the Royal Prussian Governor (Commandant), and with it will remain the Sub-Commandant, the Engineer of the Fortress, the Adjutant, and all the Fortress Officials and workmen.

The Royal Prussian Garrison in the Fortress is at liberty to make use of the magazines and stores of all kinds for their maintenance, setting off the amount.

5. Immediately after the exchange of the Ratifications of the Treaty of Peace, His Majesty the King of Saxony will grant a furlough on an extensive scale to all the corps of troops not intended by His Majesty for the peace garrison of Dresden, within the bounds allowable on military considerations, and that too before the return of the Troops to Saxony.

The further disbandment necessary in the separate corps of troops is to take place immediately after their return to Saxony; and then also all the men who can be spared are to have their full discharge.

6. Dresden is to receive a joint garrison of Prussian and Saxon troops. The Royal Saxon Troops, intended for this purpose, are not to exceed an effective body of 2,000 to 3,000 men, exclusive of officials.

7. With regard to the Royal Saxon Troops not intended for the garrison in Dresden, the necessary accommodation for their cadres, horses, arms, and equipments, will be arranged in concert with the Royal Prussian General highest in command in Saxony.

To him will also be communicated in due time, on the part of Saxony, the marching plan of the Royal Saxon troops returning from Austria.

8. So soon as the separate detachments of Saxon troops shall have returned to the Saxon Territory, they will pass, until further arrangements, under the command in chief of the Royal Prussian General highest in command in Saxony.

9. His Majesty the King of Prussia appoints the Governor, and His Majesty the King of Saxony the Commandant, for the town of Dresden, and the Fortification works about it. The reciprocal relations of those authorities to each other and to the respective contingents of the garrison of Dresden, will be provisionally regulated according to the analogy of the former Federal Fortresses. The other questions connected therewith remain for future arrangement.

10. Until the reorganisation of the Saxon troops in essential matters shall have been completed, and their incorporation into the Army of the North German Confederation shall have taken place, Prussia will continue to furnish the necessary number of troops on her part for the Garrison of the Kingdom of Saxony.

The reciprocal obligations arising herefrom will be arranged by Special Convention* between the two High Governments interested.

All further Regulations necessary for the execution of the foregoing stipulations are left to Agreement between the Royal Saxon Government and the Royal Prussian General highest in command.

The foregoing stipulations shall be considered as ratified with the Ratification of the Treaty of Peace.

Berlin, 21st October, 1866.

(L.S.) SAVIGNY. (L.S.) FRIESEN.
(L.S.) HOHENTHAL.

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PROTOCOL *explanatory of Article V† of the Treaty of Peace of 21st October*, 1866.

*Diplomatic Relations with Foreign Countries.*

ON the signature this day of the Treaty of Peace concluded between Prussia and Saxony, the Royal Saxon Plenipotentiaries declare as follows with reference to Article V:—

* A Military Convention was signed at Berlin on the 7th February, 1867.

† See page 1773.

[Peace.]

The Royal Saxon Government, animated with the lively desire of carrying into effect the perfect harmony which exists between it and the Royal Prussian Government, in regard to the political course to be henceforward followed in common, is ready,

*a.* To transfer at once and until the time when the question of the International Representation of the North German Confederation shall be settled in a definitive manner,* its own International Representation in regard to those Courts and Governments with which it does not at present maintain Diplomatic Agents to the Prussian Missions, and

*b.* To have the same relations introduced with those Courts and Governments to which there are Saxon Missions at present, in all cases of temporary vacancy, and for as long as they last;

*c.* Also to provide the Royal Saxon Representatives with corresponding instructions to this effect, so that in the spirit of the alliance concluded with Prussia, Saxony now at once firmly adheres to the Prussian policy in regard to International relations.

The Royal Prussian Plenipotentiary declares on his part, that his Government is ready to undertake the Representation in question, and thereby to take care of the interests both of the Royal Saxon Government and of Saxon subjects, everywhere in the same manner as its own.

Finally, the Plenipotentiaries on both sides were agreed that the foregoing *ad interim* arrangements should in no way affect the right of His Majesty the King of Saxony to send Extraordinary Plenipotentiaries in particular cases.

The foregoing Protocol is to be considered as ratified with the Ratification of the Treaty of Peace.

Berlin, 21st October, 1866.

(L.S.) SAVIGNY. (L.S.) FRIESEN.
(L.S.) HOHENTHAL.

[On the 1st December, 1866, an Ordinance was issued by the King of Prussia respecting the Publication of Laws in the Provinces incorporated with the Prussian Monarchy; and on the 10th December following another Ordinance was issued invalidating certain Securities removed from the Hanoverian Treasury.]

* See Constitution of 14th June, 1867.

## No. 399.—*FIRMAN of Investiture of Prince Charles of Hohenzollern as Prince of the United Principalities of Moldavia and Wallachia. Constantinople, 23rd October, 1866.**

TABLE.

1. Recognition of Rights of *Turkey* to Sovereignty over the *United Principalities.*
2. Armed Force not to exceed 30,000 Men.
3. Coinage.
4. Treaties and Conventions with Foreign Powers to be binding on *United Principalities. Principalities* not to conclude Treaties or Conventions with Foreign Powers. *Principalities* to be consulted on Treaties and Conventions bearing upon their Laws and Commerce. Above Restrictions not to bear upon Arrangements of an Unofficial or non-Political Character.
5. Not to create any Order of Decoration.
6. Rights of Sovereignty.
7. Tribute.
8. Disturbers of the Peace not to be allowed in the *United Principalities.*
9. Security to *Turkish* Subjects trading in the *Principalities.* Hereditary Title of Prince of the *United Principalities.* Fulfilment of Engagements.

(Translation.†)

To Prince Charles of Hohenzollern, who has been invested with the dignity of Prince of the United Principalities of Moldavia and Wallachia.

Having nothing more at heart than putting an end to the disturbances which have for some time past taken place in the United Principalities of Moldavia and Wallachia, an important part of my Empire, and to see their prosperity developed, as well as the happiness and well-being of their inhabitants, and that object being only attainable by the establishment of solid and lasting order;

Recognising, on the other hand, the wisdom, the high intelligence, and the capabilities which distinguish you, I confer on you the Rank and Prerogatives of Prince of the United Principalities on the following conditions, which have been specified in the Vizerial Letter addressed to you on the 19th October of the pre-

* See Note, page 1786.

† For French version, see "State Papers," vol. lvii, p. 600.

sent year, which you accepted by your answer dated on the 20th of the same month, and by which

*Recognition of Rights of Turkey to Sovereignty over the United Principalities,*

1. You engage, in your own name and in the name of your successors, to respect in their Integrity my Rights of Sovereignty over the United Principalities, which form an Integral Part of my Empire within the limits fixed by the stipulations of ancient Conventions* and by the Treaty of Paris of 1856 (**No. 264**).

*Armed Force not to exceed* 30,000 *Men.*

2. Not to exceed, under any pretext whatever, without previous understanding with my Government, the number of 30,000 men, to which the Armed Force of every description of the United Principalities may be raised.

*Coinage.*

3. Authority having been granted on our part to the United Principalities to have a special Coin bearing a mark of our Government, which shall be hereafter decided between my Sublime Porte and you, to consider that authority as of none effect so long as that decision has not been come to.

*Treaties and Conventions with Foreign Powers to be binding on United Principalities. Principalities not to conclude Treaties or Conventions with Foreign Powers. Principalities to be consulted on Treaties and Conventions bearing upon their Laws and Commerce.*

4. To consider as binding on the Principalities all Treaties and Conventions existing between my Sublime Porte and other Powers, in so far as they do not infringe on the Rights of the United Principalities established and recognised by the Acts which concern them; also to maintain and respect the principle that no Treaties or Conventions can be directly concluded by the United Principalities with Foreign Powers. My Imperial Government will nevertheless not fail in future to consult the United Principalities on the stipulations of any Treaty or Convention which might bear upon their Laws and Commercial Regulations.

* See note, page 1786.

*Above Restrictions not to bear upon Arrangements of an Unofficial or Non-Political Character.*

Arrangements of local interest between two neighbouring Administrations, and not having the form of an Official Treaty, or of a political character, shall continue to remain excluded from the above restrictions.

*Not to create any Order of Decoration.*

5. To abstain from creating any Order of Decoration intended to be conferred in the name of the United Principalities.

*Rights of Sovereignty.*

6. Always to respect my Rights of Sovereignty over the United Principalities, which form an integral part of my Empire, and carefully to maintain the secular bonds which unite them to Turkey.

*Tribute.*

7. To increase the Tribute paid to my Government by the Principalities in the proportion which shall hereafter be fixed in concert with you.

*Disturbers of the Peace not to be allowed in the United Principalities.*

8. Not to permit that the Territory of the United Provinces shall serve as a focus for Ringleaders of Disturbances, such as would endanger the tranquillity either of the other parts of my Empire or of neighbouring States.

*Security to Turkish Subjects trading in the Principalities.*

9. To come to an understanding hereafter with my Imperial Government for the adoption of practical measures necessary to secure the assistance and protection due to those of my subjects who from other parts of my Empire shall proceed to the United Principalities with the object of entering into commercial transactions.

*Hereditary Title of Prince of the United Principalities.*

Considering the conditions enumerated above, and the engagements contained in the before-mentioned answer to the letter of my Grand Vizier, the Rank and the Prerogatives of

Prince of the United Principalities are conferred upon you as a Hereditary Title for you and your heirs in a direct line, with the reservation, in case of a vacancy, that that Rank shall be conferred upon the eldest of your heirs by an Imperial Firman.

*Fulfilment of Engagements.*

You will therefore watch that no Act shall be allowed contrary to the preceding conditions and to the fundamental dispositions of the Treaties and Conventions concluded with friendly and Allied Powers of my Empire, referring to the United Principalities, and you will devote your attention in perfecting and ensuring the good administration of the United Principalities, and in developing the well-being and prosperity of their inhabitants in conformity with my Imperial wish.

Given at Constantinople, the 14th Djemazi-ul-Akhir, 1283 (23rd October, 1866).

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[Conferences were held in Paris upon the Subject of the United Principalities, from March to June, 1866. (See page 1650.) On the 17th May it was formally announced to the Conference that the Rouman People had, by means of a Plebiscite, elected Prince Charles of Hohenzollern-Hechingen as Sovereign of the United Principalities under the Title of Charles I.

On the 10th May, 1866, Prince Charles, having accepted the offer of the Assembly, entered Wallachian Territory, and assumed the Government of the Principalities. The Porte at first entered a formal Protest against these Acts, but eventually (11th July, 1866,) the Sultan agreed to recognize the Election of the Prince, and on the 23rd October following a Firman of Investiture was issued to His Highness by the Sultan.

These Arrangements were concurred in by the Treaty Powers, on the 29th January, 1867.]

**No. 400.**—*PROTOCOL between Turkey and Montenegro, relative to the Demarcation of the Frontiers of Montenegro. Constantinople, 26th October*, 1866.

(Translation.)

A MEETING having been held at the yali of His Highness Aali Pasha, Minister for Foreign Affairs, at Bebek, between Safvet Pasha, President of the Dari Choura, and Server Effendi, Under Secretary of State at the Ministry of Commerce, duly authorised to that effect by the Sublime Porte, on the one part, and the Senators Ilio Plamenatz and Captain Peiovitch, appointed for the same purpose by His Highness the Prince of Montenegro, of the other part, the Protocol signed at Cettigne on the 3rd May, 1864 (**No. 360**), between Hafiz Bey, Commissioner of the Sublime Porte, and M. Giuro Matanovich, Commissioner of Montenegro, and containing 18 Articles, was taken into consideration. The Commission, after having discussed each of the Articles of the said Protocol, confirms it in all its details, and decides that the present Protocol shall be annexed thereto, to have the same force and effect as if it formed part thereof.

Proceeding to the execution of the Protocol of the 3rd May, 1864 (**No. 360**), this Commission agrees that a mixed Commission shall proceed in the month of April next, at the latest, to the exchange and the settlement of the Indemnities of Private Properties, and the bases already decided upon. That Commission shall in the same manner proceed in execution of Articles XI and XII of the same Protocol.

Proceeding to the examination of the Map and of the Specification drawn up by the International Commission on the 8th November, 1858 (**No. 288**), the Commission, after having referred them to the respective Governments, entirely admit the tracing of the Line of Demarcation of the Frontiers as shown in red on the above-mentioned Map, and which passes from Vissotchitsa (*No. 67*) by Srebrena-Glavitsa (*No. 68*) to Banova-Gomila (*No. 69*). It is nevertheless agreed, and the Commissioners of His Highness the Prince of Montenegro engage that no building or habitation of any kind whatever shall be erected on the Srebrena-Glavitza.

It is agreed that the Turkish Koulé of Ynotchitza shall be immediately demolished.

As far as regards Velje and Malo-Brdo, the space between Podgoritza and Sponge, the Commission agrees that the Montenegrins shall continue freely to enjoy all their Rights of Possession on those mountains, and that they will have to pay into the hands of the Imperial Authorities at Scutari of Albania the Tithes and the Dues to which their lands and crops are liable.

Done in Duplicate at Constantinople, 26th October, 1866.

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| SAFVET. | I. PLAMENATZ. |
| SERVER. | PEIOVITCH. |

**No. 401.**—*ACT between Austria, Russia, and the United Principalities of Moldavia and Wallachia, relative to the Navigation of the Pruth. Signed at Bucharest,* $\frac{3rd}{15th}$ *December*, 1866.*

ART. TABLE.

Preamble.
1. Free Navigation of the *Pruth*.
2. Tax to be levied for the Improvement of the *Pruth*, and for the Maintenance of its Navigability.
3. Produce and Merchandise to be free of Passage or Transit Dues.
4. Customs Regulations.
5. Facilities to be given to Commerce and Navigation.
6. Establishment of Custom-House Stations.
7. Appointment of a Permanent Mixed Commission.
8. Appointment of an Inspector of Works.
9. Inspector to act under the Permanent Commission.
10. Maintenance of the Inspector.
11. General Project for the Navigation of the *Pruth* to be approved by the 3 Governments.
12. Power to Commissioners to introduce Modifications in the Works.
13. Works to belong exclusively to the use of the Navigation of the *Pruth*.
14. Assistance to be afforded to the Mixed Commission.
15. Towing Paths.
16. Erection of Mills, &c., forbidden.
17. Permission to be obtained for the erection of Bridges, &c.
18. Erection of Works by *Riverain* Suburban and Rural Communes. Amount of Taxes to be levied.
19. Communication between either Bank by means of Bridges and Ferries.
20. Tariff of Navigation Taxes.
21. Division of the Produce of the Toll.
22. Reduction of Taxes on Navigation.
23. Special Regulations for Levying Tolls, and the Administration of Navigation Funds.
24. Funds levied to be under Control of the Inspector.
25. Detailed Accounts and Statements to be made Annually.
26. Navigation and Police Regulation.
27. The Regulation to apply to Civil Lists.
28. Assistance to be afforded to the Inspector, &c., by the 3 Governments.
29. Establishment of Quarantine Lines.
30. Vessels descending the *Pruth* to be free from Sanitary Control.
31. Duties to be Levied at Mouth of the *Pruth*.
32. Military Assistance to Commissioners, &c. Assistance of Consular Authority. Sittings of Mixed Commission.

(Translation.†)

THE Government of His Majesty the Emperor of All the

* See also Regulations of 8th February, 1871.

† For French version, see "State Papers," vol. lviii, p. 631.

Russias, the Government of His Imperial and Royal Apostolic Majesty, and the Government of His Serene Highness the Reigning Prince of the United Principalities, in their desire to regulate with one accord, in the character of Co-Riverain States, the Navigation of the Pruth, have agreed to that effect to the following Stipulations:

*Free Navigation of the Pruth.*

ART. I. The Navigation through the whole extent of the Pruth, in so far as it flows through or separates the States of the High Contracting Parties shall be entirely Free, and shall not, in matters of Commerce, be interdicted to any Flag. Vessels and their crews shall, nevertheless, be obliged to conform strictly to the Navigation Regulations to be agreed upon,* as well as to the special dispositions contained in the Articles of the present Act.

*Tax to be levied for the Improvement of the Pruth, and for the Maintenance of its Navigability.*

ART. II. With the exclusive view of covering the expenses of Works for the improvement of the River and those for the Maintenance of its Navigability, a fair Tax shall be imposed on the Navigation and levied at the Mouth of the Pruth in the Danube. Besides this only Tax, no other Duty, whatever may be its name or origin, shall be levied on the Navigation, except in the cases mentioned in Article XVIII.

*Produce and Merchandise to be Free of Passage or Transit Dues.*

ART. III. Produce and Merchandise carried on the Pruth shall be entirely free from Passage or Transit Dues.

*Customs Regulations.*

ART. IV. The Customs Lines shall everywhere follow the Banks of the River without ever crossing it. All Vessels, Rafts, &c., therefore, so long as they are navigating or at anchor in the bed of the River, shall be entirely free from any action of the Customs; they shall, on the contrary, be subject to the Regulations in force in each of the Riverain States, for external Commerce, so soon as they shall have reached either Bank.

*Facilities to be given to Commerce and Navigation.*

ART. V. In order to favour as much as possible the development of Commerce and Navigation, there shall be introduced into

* See Regulations, 8th February, 1871.

the River Police Regulations special Dispositions to prevent the duties of the Custom-house officers being an obstacle or an impediment in the way of Navigation. Particular care will be taken to facilitate, as much as possible, the Towage of Vessels along the Banks.

*Establishment of Custom-house Stations.*

ART. VI. With a view to facilitating the operations of Commerce and Navigation, the Governments will also increase, as far as the local circumstances shall admit of it, the number of Custom-house stations, for the export and import of Merchandise.

*Appointment of a Permanent Mixed Commission.*

ART. VII. A Permanent Mixed Commission, composed of Delegates of Russia, Austria, and the United Principalities, shall be appointed to put the Pruth into the best possible navigable condition, and to draw up a Navigation Act containing River Police Regulations and a Tariff of Dues.* The Mission of that International Authority shall consist: (*a*) in fixing and causing to be executed Works indispensable for the amelioration of the bed of the River; (*b*) to settle and to put into operation the Tariff of Navigation Dues for the reimbursement of the Expenses for the improvement of the River and those for the maintenance of the Works; (*c*) to draw up the River Police Regulations; (*d*) to watch over the preservation of the Works and the strict observance of the Regulations.

*Appointment of an Inspector of Works.*

ART. VIII. The Mixed Commission of the Pruth shall appoint, by common consent of the 3 members composing it, an Inspector whose duty shall be: (*a*) to superintend the execution of the Works of amelioration, with a view to their conformity with the Projects, Plans, and Estimates approved by the 3 Governments; (*b*) to exercise a correct control over the amount of the Taxes according to the Tariff agreed upon by the Commission; (*c*) to insure the strict application of all the dispositions of the River Police Regulations; (*d*) to watch over the preservation in a good state of the Works of amelioration and to enforce their necessary execution.

*Inspector to act under the Permanent Commission.*

ART. IX. The Inspector shall act as the organ of the Perma-

* See Regulations, 8th February, 1871.

nent Commission and under its direction. He shall have an international character, and his authority shall be exercised indiscriminately with regard to either Flag.

*Maintenance of the Inspector.*

ART. X. The maintenance of the Inspector shall be carried annually to the Budget of the general expenses of the Navigability of the River.

*General Project for the Navigation of the Pruth to be approved by the 3 Governments.*

ART. XI. The Works for the Improvement of the Pruth shall be executed according to a general Project for the whole of its navigable course. That general Project as well as the special Plans and Estimates consequent thereon, shall be submitted to the approval of the 3 Governments.

*Power to Commissioners to introduce Modifications in the Works.*

ART. XII. In consideration of the frequent and unforeseen changes to which Rivers are generally subject, the Mixed Commission shall have the power of introducing into the Project of Works, at the time of their execution and if the necessity occurs, Modifications of secondary importance. It is, nevertheless, understood that the Commission shall neither suppress a part of the Works or exceed the limits of the Estimates, without an express authority from the Governments.

*Works to belong exclusively to the use of the Navigation of the Pruth.*

ART. XIII. All Works erected in conformity with the preceding Articles by the Mixed Commission, together with their accessories and dependencies, shall always remain exclusively appropriated to the use of the Navigation of the Pruth, and cannot be diverted therefrom for any reason whatsoever, and in that respect, they shall be placed under the Guarantee and the Safeguard of International Right. The Permanent Commission, to be appointed by virtue of Article VII, shall be entrusted, to the exclusion of all other interference whatever, with the administration of those Works for the benefit of Navigation, to watch over their Maintenance and Preservation, and give them all the development that the exigencies of the Navigation may require.

*Assistance to be afforded to the Mixed Commission.*

ART. XIV. The Governments Signataries of the present Act engage to afford the Mixed Commission all the assistance and co-operation of which they may stand in need for the execution of the Works of Art and generally for everything relating to the fulfilment of their task.

*Towing Paths.*

ART. XV. Roads for the Towage of Vessels shall be laid down on both Banks of the River.

*Erection of Mills, &c., forbidden.*

ART. XVI. No Mills, Dykes, Irrigation Wheels, and other buildings which obstruct the bed of the River, or impede communication with the Towing Paths, shall be allowed to be erected in the River and close to its Banks.

*Permission to be obtained for the Erection of Bridges, &c.*

ART. XVII. No Bridges, Landing Places, Quays, and others of a similar nature, shall be erected on either Bank of the River, either by Commercial or Navigation Companies, or by Private Individuals, the Plans of which shall not have been communicated to the Mixed Commission, and allowed as in no way compromising the effect of the Works of Amelioration.

*Erection of Works by Riverain, Suburban, and Rural Communes.*

ART. XVIII. The Riverain, Suburban, and Rural Communes, which might wish to erect at their own expense Works of known utility to Vessels, such as Works of Approach, &c., shall be authorised to levy a corresponding Tax which, under all circumstances, shall only be the exact equivalent of the service rendered, and the levying of which shall only be effected exclusively on the Vessels which may wish to profit thereby.

*Amount of Taxes to be levied.*

The amount of Taxes to be levied shall be submitted to the previous approval of the Mixed Commission.

*Communication between either Bank by means of Bridges and Ferries.*

ART. XIX. The Special Conditions under which the communi-

cations from one Bank to the other are to be effected by means of Bridges and Ferries, shall be settled by the Mixed Commission according to the requirements of Navigation.

*Tariff of Navigation Taxes.*

ART. XX. In conformity with Articles VI and VII of the present Act, the Mixed Commission for the Pruth shall agree upon a Tariff of Navigation Taxes to be levied at its Mouth, for the reimbursement of the expenses of amelioration. That Tariff, after having received the approval of the Governments, shall be annexed to this Act, to have the same force and effect as if it formed an integral part thereof.

*Division of the Produce of the Toll.*

ART. XXI. The Produce of the Toll shall be divided: (*a*) by priority and preference, to cover the expenses of administration and maintenance of the Works of improvement after their completion; (*b*) to the payment of the Interest on the sums expended on the Work of amelioration; (*c*) to the successive Redemption of that Capital.

*Reduction of Taxes on Navigation.*

ART. XXII. After the reimbursement of the sums first employed for the Works of improvement, and in order to diminish the charges levied on Navigation, the Delegates of the Signatary Governments shall proceed to the revision of those arrangements, and the amount of Taxes reduced as much as possible, retaining the mean Revenue considered necessary for maintaining the Navigation in a good condition.

*Special Regulations for Levying Tolls and the Administration of Navigation Funds.*

ART. XXIII. The Mixed Commission shall at the same time draw up a special Regulation for the levying of Tolls and the administration of Navigation Funds.

*Funds levied to be under control of the Inspector.*

ART. XXIV. The operations of that Fund shall be put under the control of the Inspector who, in conformity with the above Article IX, is to act as the organ of the Permanent Commission.

*Detailed Accounts and Statements to be made Annually.*

ART. XXV. A detailed Account of the operations of the Navigation Fund, as well as a statement showing the division and employment of the produce of the Tariff, shall be presented annually by the Mixed Commission to the Contracting Governments.

*Navigation and Police Regulation.*

ART. XXVI. The Navigation of the Pruth shall be administered by a Navigation and Police Regulation drawn up by the Mixed Commission and approved by the 3 Governments; after having been sanctioned by the 3 Governments, the Regulation shall be annexed to the present Act to have the same force and effect as if it formed an integral part thereof.*

*The Regulation to apply to Civil Suits.*

ART. XXVII. It is understood that that Regulation shall be considered as Law, not only as regards the River Police, but also in judging Civil Suits arising out of the use of the Navigation.

*Assistance to be afforded to the Inspector, &c., by the 3 Governments.*

ART. XXVIII. In order to insure the execution of the Police Regulation throughout the course of the Pruth, the Signatary Governments bind themselves to aid and assist the Inspector, and in general all the organs of the Mixed Commission who shall be charged to watch and maintain order and regularity over the River.

*Establishment of Quarantine Lines.*

ART. XXIX. Should an Epidemic break out, Quarantine Lines may be established on the Pruth.

Care shall nevertheless be taken to reconcile, as far as possible, the Sanitary guarantees with the exigencies of Commerce and Navigation.

*Vessels descending the Pruth to be free from Sanitary Control.*

ART. XXX. Vessels descending the Pruth shall be free from all Sanitary control; the same shall be the case with vessels coming from the Danube, so long as no epidemic shall exist in the Riverain Provinces of the Danube; the Vessels shall be simply

* See Regulations, 8th February, 1871.

required to exhibit Health Patents to the Authorities of the Places where they shall anchor.

*Duties to be Levied at Mouth of the Pruth.*

ART. XXXI. Duties can only be levied at the Mouth of the Pruth in the Danube, and must in no way hinder the movements of Navigation.

*Military Assistance to Commissioners, &c.*

ART. XXXII. A Roumanian Guard shall be established at the Mouth of the Pruth, and afford assistance in case of opposition to the Commissioners, to the Inspector of Navigation, as well as to the Agents entrusted with the levy of Taxes.

*Assistance of Consular Authority.*

The Mixed Commission shall demand the assistance of the competent Consular Authority in case of need.

*Sittings of Mixed Commission.*

The Mixed Commission shall sit at Bucharest or at Galatz.

Done at Bucharest, the $\frac{3rd}{15th}$ December, 1866.

D'OFFENBERG.
EDER.
PCE. GEORGES STIRBEY.

**No. 402.**—*LAW of the King of Prussia, for Uniting the Duchies of Holstein and Schleswig with the Prussian Monarchy. Berlin, 24th December*, 1866.

SEC. TABLE.
1. Union of *Holstein* and *Schleswig* with the *Prussian* Monarchy.
2. *Prussian* Constitution to come into Operation 1st December, 1867.

(Translation.)

WE, William, by the Grace of God, King of Prussia, &c., with the consent of both Houses of the Landtag, Decree as follows:

*Union of Holstein and Schleswig with the Prussian Monarchy.*

§ I. The Duchies of Schleswig and Holstein are united with the Prussian Monarchy, in accordance with Article II of the Constitution for the Prussian State.*

*Prussian Constitution to come into Operation 1st October*, 1867.

§ II. The Prussian Constitution shall come into force in these countries on the 1st October, 1867.

The arrangements for the necessary Modifications and Additions, as well as for the execution thereof, will be settled by special laws.

§ III. The Minister of State is charged to carry this Law into effect.

Given under our Royal Hand and Seal at Berlin, this 24th day of December, 1866.

(L.S.) WILLIAM.

Co. v. BISMARCK-SCHONHAUSEN and 7 others.

* Constitution, 14th June, 1867, page 1807.

**No. 403.**—*LAW of the King of Prussia, for Uniting with the Prussian Monarchy certain portions of Territory formerly belonging to Bavaria, Hesse-Darmstadt, Hesse-Homburg, &c. Berlin, 24th December*, 1866.

SEC. TABLE.

1. Union of Parts of *Bavaria, Hesse-Homburg*, &c., with the *Prussian* Monarchy.
2. *Prussian* Constitution to come into Operation on the 1st October, 1867.

(Translation.)

WE, William, by the Grace of God, King of Prussia, &c., with the consent of both Houses of the Landtag, decree as follows:

*Union of Parts of Bavaria with the Prussian Monarchy.*

§ I. The portions of Territory described below, formerly belonging to the Kingdom of Bavaria, are united for ever with the Prussian Monarchy, in accordance with Article II of the Constitution for the Prussian State.*

1. The district of Gersfeld;

2. That of Orb, without Aura;

3. The enclave of Kaulsdorf, lying between Saalfeld and the Prussian district of Ziegenrück.

As also the portions of Territory described below, formerly belonging to the Grand Duchy of Hesse.

*Union of Hesse-Homburg, &c.*

4. The Landgraviate of Hesse-Homburg, comprising the district of Meisenheim, but not including the demesnes of Hötensleben and Oebisfelde;

5. The district of Biedenkoff;

6. That of Vöhl, including the enclaves of Eimelrod and Höringhausen;

7. The north-western portion of the district of Giessen, comprising the localities of Frankenbach, Krumbach, Königsberg, Fellingshausen, Bieber, Haina, Rodheim, Waldgirmes, Naunheim, and Hermannstein, with their Boundaries;

8. The district of Rödelheim;

9. That part of the district of Nieder-Ursel formerly under the Sovereignty of Grand Ducal Hesse.

* See page 1807.

*Prussian Constitution to come into Operation on the 1st October*, 1867.

§ II. The Prussian Constitution shall come into force in the above-mentioned districts on the 1st October, 1867.

The arrangements for the necessary modifications and additions, and for the execution thereof, will be settled by special laws.

§ III. The Minister of State is charged with the execution of this Law.

Given under our Royal Hand and Seal at Berlin, this 24th day of December, 1866.

(L.S.) WILLIAM.

Co. v. BISMARCK-SCHONHAUSEN and 7 others.

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[On the 28th December, 1866, Ordinances were issued by the King of Prussia, for introducing the North German Election Law into Holstein, Schleswig, and the portions of Bavarian and Hessian Territory united to Prussia; and on the 12th January, 1867, a Proclamation was issued by the Prince of Augustenburg to the Schleswig-Holstein People, releasing them from their obligations, but reserving his future Rights as well as those of the Country.]

**No. 404.**—*FIRMAN of the Sultan, relative to the Evacuation of the Servian Fortresses by the Turks. 10th April,* 1867.

(Translation.)

MICHAEL BEY, Prince of Servia! Be it known on the arrival of this our Imperial Firman, that whereas the preservation of the tranquillity of Servia, which forms an integral part of our Imperial Dominions, and the increase of the happiness and repose of its people, are of exceeding great importance in our eyes, and whereas it is essential for the fulfilment of this object that the Fortresses of Belgrade, Feth-Islam, Semendria, and Bukurdelen* (Schabatz), situated within the Principality of Servia, should be maintained in a state of efficiency, and in such manner as to afford protection to the inhabitants, and as we are convinced by the uprightness and fidelity which characterise yourself and the Servian people at large, that all your energies will be exerted in the defence and proper administration of these Fortresses, it has now seemed good to us that they should be committed to your charge, that the duty of garrisoning them should be transferred to Servian soldiers, and that henceforth the Servian Flag should float over their battlements, together with the Flag of my Sublime Porte.

It is evident that this public mark and real proof of our favour and confidence as regards both yourself and the Servian people will be duly appreciated; that the stipulated and confirmed obligations of the Servian Principality towards the Suzerain Power will continue to be faithfully discharged, and that you will do your very utmost to maintain the defence and efficiency of the Fortresses.

Our resolution, as stated above, to confide and recommend to your care the defence of these Fortresses, with the proviso that in case of some change in their actual condition becoming necessary, such change shall not be carried into effect without the opinion and consent of the Sublime Porte being previously obtained, is notified to you by this our Imperial Firman dated 5th Zilhidjeh, 1283.

* See note, page 1520.

**No. 405.**—*TREATY between Great Britain, Austria, Belgium, France, Italy, the Netherlands, Prussia, and Russia, relative to the Grand Duchy of Luxemburg and the Duchy of Limburg. Signed at London, 11th May, 1867.**

ART. TABLE.

Preamble.
1. Maintenance of Rights of the House of *Orange-Nassau.*
2. Grand Duchy to form a Perpetual Neutral State under Guarantee of Contracting Parties.
3. *Luxemburg* to cease to be a Fortified City. Troops to be maintained by the King Grand Duke.
4. Evacuation of Fortress of *Luxemburg* by *Prussian* Troops.
5. Demolition of Fortress of *Luxemburg* by the *Netherlands.* Fortifications not to be restored.
6. Duchy of *Limburg* to form an Integral part of the Kingdom of the *Netherlands.*
7. Ratifications.

(Translation as laid before Parliament.†)

In the Name of the Most Holy and Indivisible Trinity.

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, taking into consideration the change produced in the situation of the Grand Duchy in consequence of the dissolution of the ties by which it was attached to the late Germanic Confederation (**Nos. 26, 388**), has invited Their Majesties the Queen of the United Kingdom of Great Britain and Ireland, the Emperor of Austria, the King of the Belgians, the Emperor of the French, the King of Prussia, and the Emperor of All the Russias, to assemble their Representatives in Conference at London, in order to come to an understanding, with the Plenipotentiaries of His Majesty the King Grand Duke, as to the new arrangements to be made in the general interest of Peace.

And Their said Majesties, after having accepted that invitation, have resolved, by common consent, to respond to the desire manifested by His Majesty the King of Italy to take part in a deliberation destined to offer a new pledge of security for the maintenance of the general tranquillity.

In consequence, Their Majesties, in concert with His Majesty

* See Declarations of France and Prussia of 17th July, 1870.

† For French version, see "State Papers," vol. lvii, p. 32.

the King of Italy, wishing to conclude a Treaty with a view to that object, have named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Edward Stanley, commonly called Lord Stanley, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, her Principal Secretary of State for Foreign Affairs;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, the Sieur Rudolph Count Apponyi, Chamberlain and Privy Councillor of His Imperial Royal and Apostolic Majesty, his Ambassador Extraordinary to Her Britannic Majesty, &c.;

His Majesty the King of the Belgians, the Sieur Sylvain Van de Weyer, Minister of State, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of the French, the Sieur Godfrey Bernard Henry Alphonse, Prince de la Tour d'Auvergne Lauraguais, his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of Italy, the Sieur Emmanuel Taparelli de Lagnasco, Marquis d'Azeglio, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, the Sieur Adolphus Baron Bentinck, his Chamberlain and Minister of State, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.; the Baron Victor de Tornaco, Minister of State, President of the Government of the Grand Duchy, his Honorary Chamberlain, &c.; and the Sieur Emanuel Servais, Vice-President of the Council of State and of the Superior Court of Justice, formerly Member of the Government, &c.;

His Majesty the King of Prussia, the Sieur Albert Count de Bernstorff-Stintenburg, his Minister of State and Chamberlain, his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the Emperor of All the Russias, the Sieur Philip Baron de Brunnow, his Actual Privy Councillor, Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:—

*Maintenance of Rights of the House of Orange-Nassau.*

ART. I. His Majesty the King of the Netherlands, Grand Duke of Luxemburg, maintains the ties which attach the said Grand Duchy to the House of Orange-Nassau, in virtue of the Treaties which placed that State under the Sovereignty of the King Grand Duke, his descendants and successors (**Nos. 183, 187**).

The Rights which the Agnates of the House of Nassau possess with regard to the Succession of the Grand Duchy, in virtue of the same Treaties, are maintained.

The High Contracting Parties accept the present Declaration, and place it upon record.

*Grand Duchy to form a Perpetual Neutral State under Guarantee of Contracting Parties.*

ART. II. The Grand Duchy of Luxemburg, within the Limits determined by the Act annexed to the Treaties of the 19th April, 1839 (**Nos. 183, 184, 185**), under the Guarantee of the Courts of Great Britain, Austria, France, Prussia, and Russia, shall henceforth form a perpetually Neutral State.

It shall be bound to observe the same Neutrality towards all other States.

The High Contracting Parties engage to respect the principle of Neutrality stipulated by the present Article.

That principle is and remains placed under the sanction of the collective Guarantee of the Powers signing Parties to the present Treaty, with the exception of Belgium, which is itself a Neutral State.

*Luxemburg to cease to be a Fortified City. Troops to be maintained by the King Grand Duke.*

ART. III. The Grand Duchy of Luxemburg being Neutralised, according to the terms of the preceding Article, the maintenance or establishment of Fortresses upon its Territory becomes without necessity as well as without object.

In consequence, it is agreed by common consent that the City of Luxemburg, considered in time past, in a military point of view, as a Federal Fortress,* shall cease to be a fortified city.

His Majesty the King Grand Duke reserves to himself to maintain in that city the number of troops necessary to provide in it for the maintenance of good order.

* See note, page 1903.

*Evacuation of Fortress of Luxemburg by Prussian Troops.*

ART. IV. In conformity with the stipulations contained in Articles II and III, His Majesty the King of Prussia declares that his troops actually in garrison in the Fortress of Luxemburg shall receive orders to proceed to the Evacuation of that place immediately after the exchange of the Ratifications of the present Treaty. The withdrawal of the artillery, munitions, and every object which forms part of the equipment of the said Fortress shall commence simultaneously. During that operation there shall remain in it no more than the number of troops necessary to provide for the safety of the material of war, and to effect the dispatch thereof, which shall be completed within the shortest time possible.

*Demolition of Fortress of Luxemburg by the Netherlands.*

ART. V. His Majesty the King Grand Duke, in virtue of the rights of Sovereignty which he exercises over the City and Fortress of Luxemburg, engages, on his part, to take the necessary measures for converting the said Fortress into an open city by means of a demolition which His Majesty shall deem sufficient to fulfil the intentions of the High Contracting Parties expressed in Article III of the present Treaty. The works requisite for that purpose shall be commenced immediately after the withdrawal of the garrison. They shall be carried out with all the attention required for the interests of the inhabitants of the city.

*Fortifications not to be restored.*

His Majesty the King Grand Duke promises, moreover, that the Fortifications of the city of Luxemburg shall not be restored in future, and that no Military Establishment shall be there maintained or created.

*Duchy of Limburg to form an integral part of the Kingdom of the Netherlands.*

ART. VI. The Powers signing Parties to the present Treaty recognise that the Dissolution of the Germanic Confederation (**No. 388**) having equally produced the Dissolution of the ties which united the Duchy of Limburg, collectively with the Grand Duchy of Luxemburg, to the said Confederation, it results therefrom that the relations, of which mention is made in Articles III, IV,

and V of the Treaty of the 19th April, 1839 (**No. 183**), between the Grand Duchy and certain Territories belonging to the Duchy of Limburg, have ceased to exist, the said Territories continuing to form an integral part of the Kingdom of the Netherlands.

*Ratifications.**

ART. VII. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London within the space of 4 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seals of their Arms.

Done at London, the 11th day of May, in the year of Our Lord, 1867.

(L.S.) STANLEY.
(L.S.) APPONYI.
(L.S.) VAN DE WEYER.
(L.S.) LA TOUR D'AUVERGNE.
(L.S.) D'AZEGLIO.
(L.S.) BENTINCK.
(L.S.) TORNACO.
(L.S.) E. SERVAIS.
(L.S.) BERNSTORFF.
(L.S.) BRUNNOW.

[During the War between France and Prussia in 1870, 1871, those Powers mutually engaged to respect the Neutrality of Luxemburg (**No. 421**).]

* Ratifications exchanged at London, 31st May, 1867.

## No. 406.—*PROTOCOLS OF CONFERENCES between Great Britain, Austria, Belgium, France, Italy, Netherlands and Luxemburg, Prussia, and Russia, respecting the Grand Duchy of Luxemburg and the Duchy of Limburg. London, May*, 1867.

"State Papers," vol. lx.

Protocol
No. 1. Presidency of the Conference. Admission of an *Italian* Representative. Project of Treaty for revision of Treaties of 1839. Proposal of *Prussia* of Collective Guarantee by Powers of Neutrality of *Luxemburg*.
London, 7th May, 1867. 497
Annex. Project of Treaty. 501
No. 2. Collective Guarantee of Neutrality of *Luxemburg* agreed to. *Luxemburg* to cease to be a fortified City. Project of Declaration proposed by *Netherlands* respecting the relations between *Luxemburg* and *Limburg* agreed upon.
London, 9th May, 1867. 503
No. 3. *Netherlands* Project to form Art. VI of the Treaty. Declaration of *Netherlands* that Obligations contracted by King Grand Duke for *Luxemburg*, concern exclusively the Government of the Grand Duchy, and that the *Netherland's* Government is wholly a stranger to them.
London, 10th May, 1867. 507
No. 4. Rights of Neutral Powers to maintain and improve their Fortresses and means of defence. Adoption of Article IV.
London, 11th May, 1867. 507
Annex. Declaration.* 509
No. 5. Signature of Treaty. London, 13th May, 1867. 510

* Declaration. It is understood that Article III in no way affects the right of the other Neutral Powers to maintain, and if necessary to improve, their Fortresses and other means of defence.

Done at London, the 11th May, 1867.

| | |
|---|---|
| STANLEY. | BENTINCK. |
| APPONYI. | TORNACO. |
| VAN DE WEYER. | E. SERVAIS. |
| LA TOUR D'AUVERGNE. | BERNSTORFF. |
| D'AZEGLIO. | BRUNNOW. |

[During the War between France and Prussia in 1870, 1871, those Powers mutually engaged to respect the Neutrality of Luxemburg (**No. 421**).]

# No. 407.—*CONSTITUTION of the North German Confederation. Adopted by the Diet, 16th April, and promulgated, 14th June, 1867.**

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(Translation.)

His Majesty the King of Prussia, His Majesty the King of Saxony, His Royal Highness the Grand Duke of Mecklenburg-Schwerin, His Royal Highness the Grand Duke of Saxe-Weimar-Eisenach, His Royal Highness the Grand Duke of Mecklenburg-Strelitz, His Royal Highuess the Grand Duke of Oldenburg, His Highness the Duke of Brunswick and Luneburg, His Highness the Duke of Saxe-Meiningen and Hildburghausen, His Highness the Duke of Saxe-Altenberg, His Highness the Duke of Saxe-Coburg and Gotha, His Highness the Duke of Anhalt, His Serene Highness the Prince of Schwarzburg-Rudolstadt, His Serene Highness the Prince of Schwarzburg-Sondershausen, His Serene Highness the Prince of Waldeck and Pyrmont, Her Serene Highness the Princess Reuss of the Elder Line, His Serene Highness the Prince Reuss of the Younger Line, His Serene Highness the Prince of Schaumburg-Lippe, His Serene Highness the Prince of Lippe, the Senate of the Free and Hanse Town of Lubeck, the Senate of the Free and Hanse Town of Bremen, the Senate of the Free and Hanse Town of Hamburg, all for the whole extent of their State Territory, and His Royal Highness the Grand Duke of Hesse, &c., for the parts of the Grand Duchy of Hesse situated to the north of the Main, enter into a perpetual Confederation for the defence of the Federal territory and of the rights prevailing therein, as well as for fostering the welfare of the German people. The said Confederation will bear the name of the North German Confederation, and the following will be its Constitution.

SECTION I.—*The Federal Territory.*

ART. I. The Territory of the Confederation consists of the

States of Prussia with Lauenburg, Saxony, Mecklenburg-Schwerin, Saxe-Weimar, Mecklenburg-Strelitz, Oldenburg, Brunswick, Saxe-Meiningen, Saxe-Altenburg, Saxe-Coburg-Gotha, Anhalt, Schwarzburg-Rudolstadt, Schwarzburg-Sondershausen, Waldeck, Reuss of the Elder Line, Reuss of the Younger Line, Schaumburg-Lippe, Lippe, Lubeck, Bremen, Hamburg, and the parts of the Grand Duchy of Hesse situated north of the Main.

SECTION II.—*The Federal Legislation.*

ART. II. The Confederation exercises the right of Legislation within the aforesaid Territory, according to the provisions of this Constitution, and to the effect that the Federal Laws take precedence of the Laws of the respective Countries. The Federal Laws acquire their binding force by publication on the part of the Confederation, which takes place by means of a Federal Law Gazette (*Bundesgesetzblatt*). If the published Law does not fix another date for the beginning of its binding force, it comes into force on the 14th day after the close of the day on which the number of the Federal Law Gazette containing it was published at Berlin.

ART. III. There exists for the whole extent of the Federal Territory a common Birthright (*Indigenat*), which so operates that a person, subject, or citizen, belonging to any one of the Federal States is to be treated in any other Federal State as a native, and to be admitted accordingly to a fixed residence therein, to carry on business, to fill public offices, to acquire landed property, to obtain the right of citizenship, and to enjoy all other civil rights on the same conditions as the native, and also to be treated in like manner with regard to legal proceedings for prosecution or defence.

No person belonging to the Confederation must be restricted in the exercise of this right either by the authorities of his native place, or by those of any other Federal State.

The regulations respecting provision for the poor and admission into the local Communal Union, are not affected by the principle laid down in the first paragraph.

Existing Treaties between the separate Federal States relative to the reception of persons who are to be expelled, the care of sick and the burial of Deceased Subjects, remain in force for the present.

In regard to the fulfilment of Military Duty towards the Native Country, the necessary measures will be arranged in the way of Federal legislation.

With reference to Foreign Countries every one belonging to the Confederation has an equal claim to its Protection.

ART. IV. The following matters are subject to the supervision of the Confederation and to its legislation.

1. The regulations on freedom of expatriation, on domiciliation and settlement, right of citizenship, passports, and police for foreigners, also on matters of business, including the system of insurance, in so far as these subjects are not already settled by Article III of this Constitution, likewise on colonisation and emigration to other than German countries;

2. The Customs and Commercial Legislation, and the Taxes to be applied to Federal purposes;

3. The regulation of the systems of Weights, Measures, and Money, including the settlement of the principles for the emission of funded and unfunded paper money;

4. The general regulations for Banking;

5. Patents of invention;

6. The protection of intellectual Property;

7. The organisation of a common protection for German Commerce abroad, of German Navigation and its Flag at Sea, and the establishment of a common Consular representation to be endowed by the Confederation;

8. Railways, and the formation of Roads, and Water-communications for the defence of the Country and for general circulation;

9. Floating and Navigation on the Waterways common to several States, the condition of those Waters, as well as the River and other Water-Tolls;

10. The Tostal and Telegraph service;

11. The regulations for the reciprocal execution of Judgments in civil causes and the fulfilment of requisitions in general;

12. Also those on the attestation of Public Documents;

13. The common legislation on contract law, penal law, commercial law, the law of bills of exchange, and the legal procedure;

14. The Military affairs of the Confederation and the Navy;

15. Measures of medical and veterinary Police.

ART. V. The Legislation of the Confederation is performed by

the Federal Council and the Diet (*Reichstag*). The concurrence of the resolutions passed by the majorities of the two Assemblies is necessary and sufficient for a Federal law.

In projects of Law on Military Affairs and on the Navy, if there is a difference of opinion in the Federal Council, the vote of the Presidency is decisive, when it declares for the maintenance of existing arrangements.

SECTION III.—*The Federal Council.*

ART. VI. The Federal Council consists of the Representatives of the members of the Confederation, amongst whom the votes are divided according to the rules for the full assembly of the late Germanic Confederation, so that

| | |
|---|---|
| Prussia, with the late votes of Hanover, Hesse-Cassel, Holstein, Nassau, and Frankfort, has .. .. .. .. | 17 votes |
| Saxony .. .. .. .. .. | 4 |
| Hesse .. .. .. .. .. | 1 |
| Mecklenburg-Schwerin .. .. .. | 2 |
| Saxe-Weimar .. .. .. .. | 1 |
| Mecklenburg-Strelitz .. .. .. | 1 |
| Oldenburg .. .. .. .. .. | 1 |
| Brunswick .. .. .. .. .. | 2 |
| Saxe-Meiningen .. .. .. .. | 1 |
| Saxe-Altenburg .. .. .. .. | 1 |
| Saxe-Coburg-Gotha .. .. .. | 1 |
| Anhalt .. .. .. .. .. | 1 |
| Schwarzburg-Rudolstadt .. .. .. | 1 |
| Schwarzburg-Sondershausen .. .. | 1 |
| Waldeck .. .. .. .. .. | 1 |
| Reuss, elder line .. .. .. .. | 1 |
| Reuss, younger line .. .. .. .. | 1 |
| Schaumburg-Lippe .. .. .. .. | 1 |
| Lippe .. .. .. .. .. .. | 1 |
| Lubeck .. .. .. .. .. | 1 |
| Bremen .. .. .. .. .. | 1 |
| Hamburg .. .. .. .. .. | 1 |
| Total | 43 votes. |

ART. VII. Each Member of the Confederation can appoint as

many Plenipotentiaries to the Federal Council as it has votes; but the totality of the appertaining votes can only be given to the same effect. Votes without representation or instruction are not counted.

Each member of the Confederation is entitled to make proposals and to bring them forward, and the Presidency is bound to submit them to discussion. The resolution is passed by a simple majority. On an equality of votes, the vote of the Presidency decides.

ART. VIII. The Federal Council forms the following Standing Committees from its Members: 1, for the Army and the Fortresses; 2, for Marine Affairs; 3, for Customs and Taxation; 4, for Commerce and Traffic; 5, for Railways, Post Offices, and Telegraphs; 6, for Judicial Affairs; 7, for Accounts.

In each of these Committees at least two Federal States are represented besides the Presidency, and each State has but one vote therein. The members of the Committees 1 and 2 are nominated by the Federal Commander-in-Chief, those of the rest are chosen by the Federal Council. These Committees are to be renewed for every session of the Federal Council, or every year, when the retiring Members are re-eligible. The officials necessary for their labours will be placed at the disposal of the Committees.

ART. IX. Every member of the Federal Council has the right of appearing in the Diet, and must be heard there whenever he applies, in order to represent the views of his Government, even when they have not been adopted by the majority of the Federal Council. No one can be a member of the Federal Council and of the Diet at the same time.

ART. X. The Presidency of the Confederation is bound to afford the members of the Federal Council the usual diplomatic protection.

SECTION IV.—*Prussian Presidency (Præsidium) of the Confederation; Right to declare War; to make Peace; to conclude Treaties with Foreign Powers; and to send and receive Ambassadors.*

ART. XI. The Presidency of the Confederation appertains to the Crown of Prussia, which, in the exercise thereof, has the right of representing the Confederation internationally, of declaring War and concluding Peace, of entering into Alliances and other Treaties with Foreign States, of accrediting and receiving Ambassadors in the name of the Confederation.

*Conclusion of Treaties.*

In so far as the Treaties with Foreign States relate to such matters as belong to the province of the Federal legislation according to Article IV, the assent of the Federal Council is necessary for their conclusion, and the sanction of the Diet for their validity.

ART. XII. The Presidency of the Confederation convokes the Federal Council and the Diet, opens, prorogues, and closes them.

ART. XIII. The Federal Council and the Diet are convoked every year, and the Federal Council may be convoked without the Diet, for the preparation of the business, but the Diet cannot be convoked without the Federal Council.

ART. XIV. The Federal Council must be convoked whenever it is required by a third of the number of votes.

ART. XV. The Chancellor of the Confederation, who is to be appointed by the Presidency, presides over the Federal Council and has the direction of the business.

He may cause himself to be represented by any other member of the Federal Council by means of a written authority.

ART. XVI. The Presidency has to bring the necessary proposals before the Diet, in accordance with the resolutions of the Federal Council, and they are supported in the Diet by members of the Federal Council, or by special Commissioners appointed by the Council.

ART. XVII. The Presidency has to issue and promulgate the Federal Laws and to attend to their execution. The orders and directions of the Federal Presidency are issued in the name of the Confederation, and require for their validity the counter-signature of the Chancellor of the Confederation, who thereby undertakes the responsibility.

ART. XVIII. The Presidency appoints the Federal Functionaries, has to swear them in for the Confederation, and to order their discharge when necessary.

ART. XIX. If Members of the Confederation do not fulfil their Constitutional Federal Duties, they may be compelled to do so by way of execution. This execution is,

*a.* In regard to Military services, if there be danger in delay, to be ordered and effected by the Federal Commander-in-Chief;

*b.* In all other cases to be decreed by the Federal Council and accomplished by the Federal Commander-in-Chief.

The execution may be extended to the Sequestration of the

Country concerned and its Governmental Power. In the cases described under letter *a*, immediate notice of the order for execution is to be given to the Federal Council, with a statement of the reasons.

SECTION V.—*The Diet (Reichstag).*

ART. XX. The Diet emanates from general and direct Elections with secret voting, and until the issue of a Federal Electoral Law, the elections are to take place according to the law on the basis of which the first Diet of the North German Confederation was elected.

ART. XXI. Functionaries require no leave of absence for entering the Diet.

If a Member of the Diet accepts a paid Public Office in the Confederation, or in a Federal State, or enters into an Office in the Federal or State Service, to which a higher rank or a higher salary is attached, he loses his seat and vote in the Diet, and can only recover his place by a New Election.

ART. XXII. The proceedings of the Diet are public.

Accurate Reports of the proceedings at the Public Sittings of the Diet are free from all responsibility.

ART. XXIII. The Diet has the right of proposing Laws within the competency of the Confederation, and of referring Petitions addressed to it to the Federal Council or the Chancellor of the Confederation.

ART. XXIV. The Legislative Period of the Diet lasts 3 years. For its Dissolution during that time a resolution of the Federal Council with the assent of the Presidency is necessary.

ART. XXV. In case of the Dissolution of the Diet the Electors must be assembled within a period of 60 days thereafter, and the Diet within a period of 90 days after the Dissolution.

ART. XXVI. Without the consent of the Diet, its prorogation cannot exceed 30 days, nor can it be repeated during the same Session.

ART. XXVII. The Diet inquires into the due Election of its Members, and decides thereon. It regulates its proceedings and discipline by a Rule of Procedure, and elects its President, its Vice-Presidents, and Secretaries.

ART. XXVIII. The Diet decides by absolute Majority of Votes. For the validity of a decision it is necessary that the majority of the legal number of Members be present.

ART. XXIX. The Members of the Diet are representatives of

the people at large, and are not bound by Commissions and instructions.

ART. XXX. No Member of the Diet can at any time be proceeded against either judicially or by way of discipline, on account of his votes, or for expressions made use of in the exercise of his functions, nor can he be made responsible in any other way out of the Assembly.

ART. XXXI. No Member of the Diet can without its sanction be subjected to examination or Arrested during the period of Session for any punishable transaction, unless taken in the act, or in the course of the following day.

The same sanction is necessary for an Arrest for Debt.

At the request of the Diet, any Criminal proceeding against one of its Members, and any examination or Civil Arrest are suspended during the period of the Session.

ART. XXXII. The Members of the Diet cannot, as such, receive any pay or indemnification.

SECTION VI.—*Customs and Commerce.*

ART. XXXIII.—The Confederation forms a Customs and Commercial Territory, surrounded by a common Customs Frontier. Separate portions of Territory which by their position are not adapted for enclosure within the Customs Frontier, are excluded.

All Articles met with in the Free Trade of a Federal State may be imported into any other Federal State, and can only be subjected to a Duty there in case similar Native Productions are liable to a Home Tax in the place.

*Lubeck, Bremen, and Hamburg Free Ports.*

ART. XXXIV. The Hanse Towns of Lubeck, Bremen, and Hamburg remain as Free Ports, with a district answering to the purpose of their own or the adjacent Territory, outside the common Customs Frontier, until they shall apply to be included in it.

ART. XXXV. To the Confederation exclusively belongs the Legislation upon everything relating to the Customs, the Taxation on the consumption of native sugar, brandy, salt, beer, and tobacco, as well as the measures necessary to be taken in the excluded parts for the protection of the common Customs Frontier.

ART. XXXVI. The collection and administration of the Customs and Taxes on consumption (Article XXXV) are left to each

Federal State within its own Territory, in so far as it has hitherto done them.

The Presidency of the Confederation superintends the observance of the legal procedure by Federal Functionaries which it adjoins to the Customs, or Tax Offices, and the Administrative Boards of the separate States, after consultation with the Customs and Tax Committee of the Federal Council.

ART. XXXVII. The Federal Council decides:

*Treaties of Commerce and Navigation.*

1. On the Legal Measures to be brought before the Diet, or those adopted by it, which come under the provision of Article XXXV, including Treaties of Commerce and Navigation;

2. On the Administrative Regulations and Arrangements for the execution of the common Legislation (Article XXXV);

3. On any Defects which become apparent in the execution of the common Legislation (Article XXXV);

4. On the Definitive Settlement of the Duties to be paid into the Federal Treasury (Article XXXIX), laid before it by its Board of Accounts.

Every proposition made to the Federal Council by a Federal State relative to the subjects of Nos. 1 to 3, or by a Comptrolling Functionary relative to the subject of No. 3, is submitted to the common decision. In case of a difference of opinion the Vote of the Presidency decides in regard to Nos. 1 and 2, when it declares for the maintenance of the existing regulation or arrangement; in all other cases the majority of Votes decides according to the proportion of Votes settled in Article VI of this Constitution.

ART. XXXVIII. The proceeds of the Customs and of the Duties on Consumption described in Article XXXV are paid into the Federal Treasury.

These proceeds consist of the whole receipts of the Customs and Duties on Consumption, after deducting:

1. The Taxes returned and reductions made according to Law or General Administrative Regulations;

2. The Costs of Collection and Administration, viz.:

*a.* For the Customs and the Tax upon native sugar, in so far as these costs can, according to the agreements among the members of the German Customs and Commercial Union, be charged to the community;

*b.* For the Tax upon native Salt, so soon as such a Tax, as

well as a Duty on foreign salt shall be introduced with the abolition of the salt monopoly, the amount of the Costs of Collection and supervision at the Salt Works;

*c.* For the other Taxes, 15 per cent. of the total receipts.

The Territories lying outside the common Customs Frontier contribute to the Federal expenses by the payment of an agreed sum.

ART. XXXIX. The Quarterly Summaries and the Definitive Statements which are to be prepared by the Collecting Authorities of the Federal States at the end of each quarter and at the close of the financial year, and the making up of the books respectively, showing the amount of receipts that have become payable for the Customs and Duties on Consumption in the course of the 3 months or during the financial year, are to be brought into general summaries, after previous examination, by the Administrative Boards of the Federal States, and those summaries are to be sent in to the Committee of Accounts of the Federal Council.

On the basis of those summaries, the Committee of Accounts settles preliminarily every 3 months the amount due from the Treasury of each Federal State to the Federal Treasury, and gives information thereof to the Federal Council and to the Federal States, and also lays the final settlement of those amounts, with its remarks, before the Federal Council yearly for its decision.

ART. XL. The stipulations in the Customs Union Treaty of 16th May, 1865, in the Treaty on the equal Taxation of home productions of 28th June, 1864, in the Treaty on the Trade in tobacco and wine, of the same date, and in Article II of the Customs and Accession Treaty of 11th June, 1864, likewise in the Thuringian Union Treaties, remain in force among the Federal States concerned in those Treaties, in so far as they are not altered by the provisions in the present Constitution, and so long as they shall not be altered in the manner described in Article XXXVII.

With these restrictions, the Stipulations of the Customs Union Treaty of 16th May, 1865, are also applicable to those Federal States and portions of Territory which do not at present belong to the German Customs and Commercial Union.

SECTION VII.—*Railways.*

ART. XLI. Railways which are considered necessary for the defence of the Federal Territory or for the interests of general

traffic may be constructed on account of the Confederation, by virtue of a Federal Law, even against the will of those Members of the Confederation whose Territories the Railroads traverse, without prejudice to their Sovereign Rights, or the construction may be conceded to private contractors with the right of expropriation.

Every existing Railway Board is bound to allow the junction of newly-constructed Railways at the expense of the latter.

The Legal Provisions which give to existing Railway enterprises the right of opposing the construction of parallel or competing lines, are hereby abolished throughout the Federal Territory, without prejudice to rights already acquired. And no such right of opposition can be accorded in any concessions hereafter to be granted.

ART. XLII. The Federal Governments bind themselves to administer the Railways situated in the Federal Territory as a single network in the interest of general traffic, and for this purpose to have any new Railways that are to be made, constructed and furnished according to uniform rules.

ART. XLIII. Corresponding working arrangements are therefore to be adopted as speedily as possible, and especially similar Railway Police Regulations are to be introduced. The Confederation has to take care that the Railway Directors keep the lines in such a state of repair as to afford the necessary security at all times, and that they provide them with such working material as the necessities of the traffic require.

ART. XLIV. The Railway Boards are bound to introduce the necessary Passenger Trains of the proper speed for the through traffic, and for the establishment of plans for corresponding journeys, also the necessary Goods Trains to cope with the goods traffic; likewise to arrange direct expeditions for passenger and goods traffic, with permission for the transit of means of conveyance from one line to another for the usual remuneration.

ART. XLV. The Confederation controls the Tariffs. It will operate to the effect:

1. That corresponding working regulations may be introduced on the Railways in the Territory of the Confederation as soon as possible.

2. That the greatest possible uniformity and reduction of the Tariffs may be attained, especially that in great distances, for the transport of coals, coke, wood, minerals, stone, salt, raw iron,

manures, and similar articles, a reduced Tariff in accordance with the necessities of agriculture and industry may be introduced, and in fact the one pfennig Tariff as speedily as possible.

ART. XLVI. In times of distress, especially when provisions are unusually dear, the Railway Boards are bound to introduce for a time a special reduced Tariff to be settled by the Presidency of the Confederation on the proposal of the particular Committee of the Federal Council, for the transport especially of Corn, Meal, Pulse, and Potatoes; but this Tariff must not however be less than the lowest rate for Raw Produce on the particular line.

ART. XLVII. All the Railway Boards have to comply unresistingly with the demands of the Federal Authorities for the use of the Railways for the purpose of defending the Federal Territories. Soldiers and all Materials of Warfare especially are to be forwarded at uniform reduced Rates.

SECTION VIII.—*Postal and Telegraph Service.*

ART. XLVIII. The Postal Service and Telegraph Service will be arranged and administered for the whole Territory of the North German Confederation as Single Institutions for State intercourse.

The Legislation of the Confederation in Postal and Telegraph affairs, provided in Article IV, does not extend to those matters the regulation of which, according to the principles at present observed in the administration of the Prussian Post and Telegraph Offices, is left to definitive rules or to the directions of the Authorities.

ART. XLIX. The Revenues of the Postal and Telegraph Services are in common for the whole Confederation. The expenditure is provided for from the common Revenues. The Surplus goes to the Federal Treasury (Section XII).

ART. L. The supreme direction of the Postal and Telegraph Service belongs to the Presidency of the Confederation. It is the right and the duty of the Presidency to see that uniformity be established and maintained in the organisation of the administration and in the working of the Service, as well as in the qualifications of the Functionaries.

The Presidency has to attend to the issue of definitive regulations and general administrative directions, as well as to the

exclusive care of the relations with other German and Foreign Post and Telegraph Authorities.

All the Functionaries of the Postal and Telegraph Administration are bound to obey the orders of the Presidency of the Confederation. This duty is to be undertaken in the oath of service.

The appointment of the Higher Functionaries (such as Directors, Councillors, Inspectors-General) required for the Administrative Authorities of the Post and Telegraph Offices in the various districts, likewise the appointment of the Postal and Telegraph Functionaries (such as Inspectors, Comptrollers) who are to act as the organs of those Authorities in the service of supervision, &c., emanates, for the whole Territory of the North German Confederation, from the Presidency to which those Functionaries take oath of service. The said nominations will be duly communicated to the Separate Federal Governments, in so far as they relate to their Territory, for the purpose of their sovereign confirmation and publication.

The other Functionaries required by the Administrative Authorities of the Post and Telegraph Offices, as well as all those intended for the local and technical work, consequently those engaged in the real working offices, &c., are appointed by the Governments of the Countries.

Where there is no independent National Post or Telegraph Administration, the Stipulations of Special Treaties are to be observed.

ART. LI. In order to put an end to the scattered Postal and Telegraph Service in the Hanse Towns, the administration and working of the various Postal and Telegraphic Establishments existing there will be united according to definite directions from the Presidency of the Confederation, which will give the Senates an opportunity of expressing their wishes on the subject. With respect to the German Establishments which are to be found there this Union will take place immediately.

The necessary Conventions for the aforesaid purpose will be entered into with the non-German Governments which still possess or exercise Postal Rights in the Hanse Towns.

ART. LII. In allotting the Surplus of the Postal Administration for general Federal purposes (Article XLIX) the following course, in consideration of the difference of the net receipts obtained from the National Postal Administrations of the Sepa-

rate Territories, is to be taken during the period of transition settled below, for the purpose of a suitable accommodation.

From the Postal Surpluses produced in the several Postal Districts during the five years 1861 to 1865, an average yearly Surplus will be reckoned, and the share, which each Separate Postal District has had in the Postal Surplus thus shown for the whole Territory of the North German Confederation, will be fixed according to the percentage.

According to the proportion fixed in this manner the quotas of the Separate States will be allowed to them from the Postal Surpluses produced in the Confederation during the next 8 years, in reckoning their other Contributions for Federal purposes.

After the expiration of the 8 years that distinction will cease, and the Postal Surpluses will pass in undivided amounts into the Federal Treasury according to the principle contained in Article XLIX.

From the Share of the Postal Surplus accruing to the Hanse Towns during the aforesaid 8 years, the moiety will be annually placed at the disposal of the Federal Presidency beforehand, for the purpose of first meeting the expenses for the establishment of Normal Postal Institutions in the Hanse Towns.

SECTION IX.—*The Navy and Navigation. Ports of Kiel and Jahde.*

ART. LIII. The Federal Navy is an undivided one under the Command-in-Chief of Prussia. Its organisation and composition belong to His Majesty the King of Prussia, who appoints its Officers and Functionaries, and into whose Service they are to be sworn, as well as the crews.

The Ports of Kiel and the Jahde are Federal Military Ports.*

The expenditure required for the formation and maintenance of the Fleet and of the establishments connected therewith is provided from the Federal Treasury.

The whole Maritime Population of the Confederation, including the Engine-men and the Shipwrights is exempt from Service in the Army, but bound to serve in the Federal Navy.

The distribution of the numbers required is made according to existing Maritime Population, and the share thus furnished by each State is allowed off the contingent to the Army.

ART. LIV. The Merchant Shipping of all the Federal States forms one single Merchant Navy.

* See also Constitution of 16th April, 1871, Art. 53.

The Confederation has to determine the process for ascertaining the Tonnage of Sea Ships, the issue of Certificates of Admeasurément, as well as the regulation of the Ship's Papers, and the settlement of the conditions on which the permission to command a sea-going Ship depend.

The Merchant Ships of all the Federal States will be admitted and treated alike in all the Seaports and all the Natural and Artificial Waterways of the separate Federal States. The Duties which are levied in the Seaports on Sea Ships or their Cargoes for the use of the Marine Institutions, must not exceed the necessary expenditure for the maintenance and Ordinary Establishment of those Institutions.

On all Natural Waterways Duties must only be levied for the use of Special Institutions intended for the facilitation of Traffic. These Duties, as well as the Duties for the Navigation of such Artificial Waterways as are State property, must not exceed the expenditure necessary for the Maintenance and Ordinary Establishment of the Institutions and Appliances. These provisions are applicable to Floatage in so far as it is carried on on Navigable Waterways.

No Separate State, but the Confederation alone, has the right of imposing higher Duties on Foreign Ships and their Cargoes, than those which are to be paid by the Ships of the Federal States or their Cargoes.

ART. LV. The Flag of the Navy and the Merchant Shipping is black, white, and red.

SECTION X.—*Consulates.*

ART. LVI. All the North German Consulates are under the superintendence of the Federal Presidency, which appoints the Consuls after consultation with the Committee of the Federal Council for Commerce and Traffic.

No new Consulates for the Separate Countries can be established in the Official District of the Federal Consuls. The Federal Consuls exercise the functions of a National Consul for those Federal States which are not represented in their District. All the existing Consulates of the Separate Countries will be abolished so soon as the organisation of the Federal Consulates is so far completed that the representation of the Separate Interests of all the Federal States is recognised by the Federal Council as secured through the Federal Consulates.

SECTION XI.—*Military Affairs of the Confederation.*

ART. LVII. Every North German is liable to Military Service, and cannot perform that service by Substitute.

ART. LVIII. The costs and burdens of the whole Military affairs of the Confederation are to be borne equally by all the Federal States and those who belong to them, so that neither the advantage nor the overburdening of individual States or classes is admissible in principle. Where the equal distribution of the burdens cannot, from natural circumstances, take place without injury to public welfare, the equalisation must be settled in the way of legislation, according to the principles of equity.

ART. LIX. Every North German capable of bearing arms belongs for 7 years to the Standing Army, as a rule from the completion of the 20th to the beginning of the 28th year of his age, the first 3 years with the banners and the last 4 years in the Reserve, then for the following 5 years of his life to the Landwehr. In those Federal States, where the total legal liability to Military Service has hitherto been longer than 12 years, the gradual reduction of the liability will only take place in proportion as it is admissible by the Military efficiency of the Federal Army.

In regard to the Emigration of the Reserve Men, only those regulations shall be observed which are applicable to the Emigration of the Landwehr Men.

ART. LX. The effective strength of the Federal Army in time of peace is regulated up to 31st December, 1871, at one per cent. of the Population of 1867, and is furnished *pro rata* thereof by the Separate Federal States. For later times the effective strength of the Army in peace will be settled by the way of Federal Legislation.

ART. LXI. After the publication of this Constitution the Prussian Military Legislation is to be immediately introduced into the whole Federal Territory, both the laws themselves and the regulations, instructions, and receipts issued for their execution, explanation, or completion; especially, therefore, the Military Penal Code of 3rd April, 1845, the Military Criminal Court Regulation of 3rd April, 1845, the Ordinance on Courts of Honour of 20th July, 1843, the directions respecting Recruiting, Time of Service, matters of Service and Maintenance, Quartering, Compensation for Damages to Fields, Mobilisation, &c., for Peace and War. The Military Church Ritual is however excluded.

After the Uniform Organisation of the Federal Military system has been carried into effect, the Federal Presidency will submit a comprehensive Federal Military Law to the Diet and the Federal Council for their constitutional decision.

ART. LXII. To meet the expenditure for the whole Federal Army and the Institutions belonging to it, as many times 225 thalers, say in words two hundred and twenty-five thalers, as the poll number of the Peace Strength of the Army amounts to according to Article LX, are to be placed yearly at the disposal of the Federal Commander-in-Chief until 31st December, 1871. (See Section XII.)

The payment of these Contributions begins with the 1st of the month after the publication of the Federal Constitution.

After the 31st of December, 1871, these amounts must continue to be paid to the Federal Treasury by the Separate States of the Confederation. For reckoning the amounts the effective strength for Peace provisionally settled in Article LX will be adhered to until it is altered by a Federal Law.

The expenditure of this sum for the whole Federal Army and its Institutions will be fixed by the Budget Law.

In the settlement of the Military Expenditure Estimates, the Organisation of the Federal Army legally established on the basis of this Constitution, will be taken as the foundation.

ART. LXIII. All the Land Forces of the Confederation form one single Army, which in War and in Peace is under the command of His Majesty the King of Prussia, as Federal Commander-in-Chief.

The regiments, &c., bear consecutive numbers throughout the whole Federal Army. For the Clothing the main colours and the cut of the Royal Prussian Army are to be followed. It is left to the Sovereigns of the respective Contingents to decide upon the external insignia (cockades, &c.).

It is the duty and the right of the Federal Commander-in-Chief to take care that all the bodies of Troops within the Federal Army are kept complete in number and in fighting order, and that unity of organisation and formation, in arming and commanding, in the instruction of the men as well as in the qualification of the Officers, be established and maintained. For this purpose the Commander-in-Chief is entitled to ascertain the constitution of the Separate Contingents at any time by inspection, and to order the removal of any defects that may then appear.

The Federal Commander-in-Chief determines the effective state, the formation and division of the Contingents of the Federal Army, as well as the organisation of the Landwehr, and has the right of determining the Garrisons within the Federal Territory, as well as of ordering that any part of the Federal Army be made ready for War.

In order to preserve the indispensable uniformity in the administration, maintenance, arming, and equipment of all the corps of the Federal Army, the respective Ordinances issued in future for the Prussian Army, are to be communicated in a proper manner by the Committee for the Army and the Fortresses, mentioned in Article VIII, to the Commanders of the other Federal Contingents for their observance.

ART. LXIV. All the Federal Troops are bound to render unconditional obedience to the orders of the Federal Commander-in-Chief. This obligation is to be undertaken in the Banner-oath.

The highest in command of a Contingent, as well as all Officers who command Troops of more than one Contingent, and all Commanders of Fortresses are appointed by the Federal Commander-in-Chief. The Officers appointed by him to take the Banner-oath to him. For Generals, and Officers filling the places of Generals in the Federal Contingents, the appointment is to be made dependent upon the assent of the Federal Commander-in-Chief in every case.

The Federal Commander-in-Chief has the right of choosing from the Officers of all the Contingents of the Federal Army, by transposition with or without promotion, for all the places to be filled by him, whether in the Prussian Army or in the other Contingents.

ART. LXV. The Federal Commander-in-Chief has the right of erecting Fortresses within the Territory of the Confederation, and he applies for the grant of the necessary means, if the ordinary supply does not afford them, in accordance with Section XII.

ART. LXVI. Where Special Conventions do not determine otherwise, the Federal Princes or the Senates appoint the Officers of their Contingents, with the restriction of Article LXIV. They are the Chiefs of all the corps of Troops belonging to their Territories and enjoy the honours connected therewith. They have namely, the right of inspection at any time, and they receive, besides the regular reports and announcements concerning altera-

tions that occur, for the purpose of the requisite Sovereign publication, communications in due time of the promotions and appointments affecting the respective bodies of Troops.

They have also the right of employing not only their own Troops for purposes of Police, but also all other bodies of Troops of the Federal Army that may be detached in the Territories of their Countries.

ART. LXVII. Savings in the Military Budget fall under no circumstances to any particular Government, but always to the Federal Treasury.

ART. LXVIII. The Federal Commander-in-Chief can declare any part of the Federal Territory in a state of War if Public Security is threatened therein. Until the issue of a Federal Law regulating the premises, the form of the Proclamation and the effects of such a Declaration, the provisions of the Prussian Law of 4th June, 1851 (Ges. Samm. 1851, p. 451), are to be observed.

SECTION XII.—*The Federal Finances.*

ART. LXIX. All the receipts and expenses of the Confederation must be estimated for each year, and brought into the Federal Budget. This is to be settled by Law before the beginning of the Financial Year, according to the following principles.

ART. LXX. To provide for all common expenses any surpluses of the preceding year are first of all made use of, as well as the common Revenues arising from the Customs, from the common Taxes on Consumption, and from the Postal and Telegraph Services. In so far as these are not sufficient to cover the expenses, they are to be made up, so long as Federal Taxes are not introduced, by contributions from the Separate Federal States in proportion to their Population, and those contributions will be imposed by the Presidency until they reach the amount fixed in the Budget.

ART. LXXI. The common expenses are granted, as a rule, for one year, but they may in special cases be granted for a longer time.

During the period of transition fixed in Article LX, the Budget of the Expenses for the Federal Army arranged under titles, is only to be laid before the Federal Council and the Diet for their information and remembrance.

ART. LXXII. An account of the application of all the Revenues

of the Confederation is to be laid before the Federal Council and the Diet by the Presidency yearly for the discharge of responsibility.

ART. LXXIII. In cases of extraordinary need a Loan may be contracted by way of Federal Legislation, or a guarantee may be undertaken at the charge of the Confederation.

SECTION XIII.—*Accommodation of Disputes, and Penal Regulations.*

ART. LXXIV. Every undertaking against the existence, the Integrity, the Security, or the Constitution of the North German Confederation, finally, any offence against the Federal Council, the Diet, a Member of the Federal Council or the Diet, an Authority or a Public Functionary of the Confederation, whilst in the exercise of their functions, or in reference to their functions, by word, writing, printing, signs, figurative or other representation, are to be judged and punished in the Separate Federal States according to the Laws now existing therein or hereafter coming into operation, by which a similar action against the Separate Federal State, its Constitution, its Chambers or Estates, or its Members thereof, its Authorities and Functionaries would be judged.

ART. LXXV. For those undertakings against the North German Confederation described in Article LXXIV, which would be characterized as High Treason or State Treason if directed against a Separate Federal State, the Supreme Court of Appeal at Lubeck, common to the three Free and Hanse Towns, is the competent deciding authority in first and last instance.

The detailed Regulations as to the competency and the procedure of the Supreme Court of Appeal will be settled in the way of Federal Legislation. Until the passing of a Federal Law the competency, as hitherto existing, of the Courts in the Separate Federal States and the Regulations relating to the procedure therein, will continue applicable.

ART. LXXVI. Disputes between different Federal States, if not concerning private rights, and as such to be decided by the competent judicial authorities, are to be settled by the Federal Council on the appeal of one of the parties.

Constitutional disputes in those Federal States whose Constitution does not appoint an authority for the decision of such

disputes, are to be amicably arranged by the Federal Council on the application of one of the parties, or if that cannot be done they are to be settled in the way of Federal Legislation.

ART. LXXVII. If a case of denial of justice should occur in a Federal State, and sufficient relief cannot be obtained by way of Law, it belongs to the Federal Council to receive the complaints as to the refused or obstructed administration of justice when proved according to the Constitution and the existing Laws of the Federal State concerned, and to afford the legal redress therein in regard to the Federal Government which has given cause for the complaint.

SECTION XIV.—*General Provision.*

ART. LXXVIII. Alterations of the Constitution take place by way of legislation, but a majority of two-thirds of the Votes represented in the Federal Council is necessary thereto.

SECTION XV.—*Relations with the South German States.*

ART. LXXIX. The relations of the Confederation with the South German States will be regulated immediately after the settlement of the Constitution of the North German Confederation by special Treaties to be laid before the Diet for approval.

The entry of the South German States, or any of them, into the Confederation, takes place on the proposal of the Presidency of the Confederation in the way of Federal Legislation.*

* On the 15th November, 1870, a Protocol was signed between the North German Confederation, Baden, and Hesse-Darmstadt, relative to the establishment of a German Confederation; and on the 23rd November, 1870, a Treaty on the same subject was signed between the North German Confederation and Bavaria. On the 25th November, 1870, Wurtemberg acceded to the Constitution of the North German Constitution, and concluded a Military Convention with Prussia on the same day. See also Constitution of German Empire of 16th April, 1871.

**No. 408.**—*TREATY between Prussia and Waldeck-Pyrmont, relative to the Transfer of the Administration of the Principalities of Waldeck and Pyrmont to Prussia. Signed at Berlin, 18th July, 1867.*

ART. TABLE.

Preamble.
1. Internal Administration of the Principalities by *Prussia*, except the Princely Consistory, &c.
2. Administration to be in the name of the Prince.
3. *Prussia* to receive the Revenues, and defray Expenses.
4. Executive Powers to be exercised by *Prussia*. Rights reserved to the Prince.
5. Appointment of a Governor by the King.
6. Judicial and Administrative Authorities to be organised by *Prussia*.
7. State Servants to be *Prussian* Subjects. Maintenance of Constitution.
8. Public Servants of Principalities to be employed in *Prussia*, or pensioned.
9. Representation of the Country Abroad by the Prince.
10. Administration of Domanial Property.
11. Duration of Treaty.
12. Ratifications.

(Translation.)

HIS Majesty the King of Prussia and His Serene Highness the Prince of Waldeck and Pyrmont, animated by the wish of facilitating the entry of the Principalities of Waldeck and Pyrmont into the North German Confederation, have determined upon concluding a Treaty for that purpose, and accordingly have granted Full Powers, His Majesty the King of Prussia to Bernhard König, his Privy Councillor of Legation, and His Serene Highness the Prince of Waldeck and Pyrmont to his Privy Councillor Charles William v. Stockhausen, and Lewis Klapp, who, after the exchange of their Full Powers, which were found correct and regular, have agreed upon the following Articles:

*Internal Administration of the Principalities by Prussia, except the Princely Consistory, &c.*

ART. I. Prussia undertakes the Internal Administration of the Principalities of Waldeck and Pyrmont, exclusive only of the Administration which appertains to the Princely Consistory in its quality of Supreme Ecclesiastical Authority, and also of the ad-

ministration of the charitable foundation of Schaaken, which are therefore reserved to His Serene Highness the Prince.

*Administration to be in the Name of the Prince.*

ART. II. The Administration will be carried on in the name of His Serene Highness the Prince, in accordance with the Constitution and Laws of the Principalities.

*Prussia to receive the Revenues and defray Expenses.*

ART. III. Prussia will receive the whole of the Revenues of the Principalities, and will defray all Expenses, excepting the Expenses of the Consistory in its quality of Supreme Ecclesiastical Authority.

*Executive Powers to be exercised by Prussia. Rights reserved to the Prince.*

ART. IV. His Majesty the King of Prussia will exercise the whole of the Executive Powers as regards the Internal Administration of the Principalities which belong constitutionally to His Serene Highness the Prince. The latter, however, retains the right of pardon as limited by the Constitution and the Laws, and also the right of assent to alterations in the Constitution and the Laws in so far as they do not interfere with the organisation of the Judicial and Administrative Authorities (Article VI).

*Appointment of a Governor by the King.*

ART. V. A Governor (*Landes Director*) to be appointed by His Majesty the King, will be placed at the head of the Administration of the Principalities, and he will undertake the Constitutional responsibility of the Government of the Country.

*Judicial and Administrative Authorities to be organised by Prussia.*

ART. VI. Prussia is empowered to organise the Judicial and Administrative Authorities differently according to her own judgment. The powers of the Authorities of higher instance may be transferred to Prussian Authorities.

*State Servants to be Prussian Subjects. Maintenance of Constitution.*

ART. VII. All the State Servants will be appointed by Prussia; they are to be Prussian subjects, and must take the Oath of

Allegiance to His Majesty the King. They, including the Governor, must conscientiously observe the Constitution of the Principality which they must expressly promise to maintain. The Governor, on taking the Oath, will have to swear to be faithful and obedient to His Serene Highness the Prince with regard to the Rights reserved to the latter by Articles IV and IX of this Treaty.

*Public Servants of Principalities to be employed in Prussia, or Pensioned.*

ART. VIII. The Public Servants of the Principalities at present in office, in so far as their services are no longer necessary in the Principalities in consequence of the new organisation, or in so far as they are not employed in the administration of the Princely Domains (Article X), shall be employed in Prussia, retaining their ranks and incomes, and account being taken of the length of their services. Those who do not choose or who cannot be employed in this manner will be Pensioned in accordance with the State Service Law of Waldeck, or put on half-pay. In appointing and pensioning these Public Servants, Prussia will take existing circumstances into account as much as possible.

*Representation of the Country Abroad by the Prince.*

ART. IX. The Representation of the Country Abroad still retained by the Prince, will be exercised by him through and under the responsibility of the Governor. The expenses will be paid, as formerly, out of the Treasury of the Country.

*Administration of Domanial Property.*

ART. X. The Administration of the Domanial Property described in the Compact of 16th July, 1853, &c., will not be affected by the present Treaty, and remains in the hands of His Serene Highness the Prince. No contribution is to be made from the Domains for the expenses of the State on the one hand, nor, on the other, can there be a joint use of the State appointments by the administration of the Domains.

*Duration of Treaty.*

ART. XI. The present Agreement will come into operation from 1st January, 1868, for a period of 10 years, and on the expiration of that period it will be considered as prolonged for 10

years more, unless notice to the contrary be given by one or the other of the Parties at least a year before.

*Ratifications.*

ART. XII. The present Agreement is to be ratified, and the Ratifications exchanged at Berlin within 4 weeks, subject to the assent of the Representative Bodies of both Countries.

In witness whereof the Plenipotentiaries have signed and sealed this Treaty.

Berlin, 18th July, 1867.

(L.S.) BERNHARD KONIG.
(L.S.) CHARLES WILLIAM VON STOCKHAUSEN.
(L.S.) LEWIS KLAPP.

# No. 409.—*FINAL BOUNDARY ACT between Austria and Italy. Venice, 22nd December,* 1867.

ART. TABLE.

Reference to Treaty of 3rd October, 1866.

1. Civil Rights of private persons, communes, and corporate bodies, over lands on either side of the Boundary Line not to be interfered with. Boundary from Lake of *Garda* to Port of *Buso*.
2. Settlement of Disputes respecting the Boundary Line.
3. In Boundary Waters the Midstream forms the Separating Line, as a general rule.
4. On Public Roads the axis of the Road forms the Separating Line. Roads to be freely used by both Parties.
5. Road along the Torrent of *Indrio* from *Prepotto* to *Melina*, and the communication along the Torrent of *Pontebbana* to be free to both Parties.
6. No works to be constructed along the course of Boundary Waters for regulating them, for Navigation, or Floating of Timber, without the consent of both Parties.
7. Further arrangements to be made respecting Floating of Timber.
8. State Boundary Line as laid down by the *Italiano-Illyrian* Commission in 1841, to form the Boundary of private or communal Property, unless otherwise decided or agreed to.
9. Bridges recognised as at present existing across the Torrents of *Cesilla*, *Pontebbana*, *Indrio*, and the *Canale del Taglio*; maintenance and use thereof.
10. Maintenance of Boundary-marks.
11. Expenses of determining the Boundary Line.
12. Execution of the present Act.
13. Act not to be valid till Ratified by the two Sovereigns.

Ratifications.

(Translation.)

*Reference to Treaty of 3rd October,* 1866.

ARTICLE IV of the Treaty concluded at Vienna on the 3rd of October, 1866 (**No. 392**), between His Majesty the King of Italy and His Majesty the Emperor of Austria, the Ratifications of which Treaty were exchanged on the 12th of the same month, provides in order to the Teritorial Cessions therein agreed upon, that:

"The Frontier of the ceded Territory is determined by the actual administrative Limits of the Lombardo-Venetian Kingdom."

The same Article adds that:

"A Military Commission, appointed by the two Contracting

Powers, shall be entrusted with the execution of the tracing on the spot within the shortest possible delay."

In pursuance of this last stipulation, their Royal and Imperial Majesties have appointed as Commissioners,

His Majesty the King of Italy, Count Charles Felix Nicolis di Robilant, Major-General, &c., Baron Adrian Nicholas Mazza, Major on the Staff, &c., and Alexander de Charbonneau, Knight, his Orderly Officer, &c.;

His Majesty the Emperor of Austria, Julius Mauger von Kirchsberg, Major-General, &c., Eugene Kopfinger von Trebbienan, Colonel of Infantry, &c., and Emanuel Korwin, Knight, &c.;

Who, having assembled at Venice, after they had exchanged their Full Powers, and found them in good and due form, constituted themselves an International Commission, under the Presidency of Major-General Count di Robilant.

Major de Charbonneau was nominated to act as Secretary.

The Commission at once proceeded to consider the mode of performing its task, and agreed to the following conclusions:

That the Frontier of the ceded Territory within the Limits indicated by Article IV of the Treaty of 3rd October, 1866 (**No. 392**), ought to be considered in general as sufficiently determined by the existing Termini and Boundary marks, good part of which had not been altered for a long time.

That the practice followed by the Austrian Government, of having partial revisions of the Boundaries at stated periods, had largely contributed to render them more certain, by removing from time to time the doubts which had arisen.

That in following out this principle, and by the existence of the special assessment books of the Lombardo-Venetian Kingdom and of the contiguous Provinces, the Territorial separation of the one from the others had always been in progress of confirmation in fact and in practice.

That therefore a new and general revision of the Frontier under the circumstances above mentioned would not have yielded an advantage proportionate to the expense, whether the intention had been to make a topographical sketch, or only to draw up a complete description of it, on which account the stipulation of the second paragraph of Article IV of the Treaty of 3rd October, 1866 (**No. 392**), might be considered as sufficiently fulfilled, if the Commission undertook to pay special attention to those points

only where doubt existed respecting the precise track of the Frontier, as well as to those others where some operation might be necessary to render the State separation more manifest.

In order to obtain the most precise information respecting the points of both classes, the Italian Commission applied to the political Boundary Authorities, requesting them to call for the particulars required from the Communes interested therein. It also applied to the Financial Authorities in order to procure information from them respecting those points where it may be expedient to denote the Boundary by new or more apparent marks, for the greater convenience and security of the service.

The result of these measures, and others taken at the same time, by the Austrian Commissioners with their own Political Authorities, as well as information obtained from several sources, led the Commission to examine specially the tracts separately indicated below, with respect to which there might be reason to doubt:

1. The part of the Frontier between the left bank of the Lake of Garda and the signal of the Bocchetta, on the heights of Mount Baldo.

2. In the Territories of the Communes of Arsiè and Grigno, the divisional line in the region called the Scaffe Rosse, left undecided on account of a long standing question;

3. The tract of Frontier next the Commune of Ampezzo, to decide to which party the wood called Antipetto di San Marco belonged.

4. The tract of Boundary between Monte Maggiore and the sources of the Indrio, to arrange about the Provisional Boundary line decreed by the Austrian Government in the year 1841.

5. Finally, the tract from the meeting of the Rivulet Ausa with the Canal Medadola, up to the Port of Buso.

The Minutes of the Commission, and their extracts, a copy of which is annexed to this Act, show the arrangements and resolutions of the Commission on each of the points indicated.

With respect to the other points of the Boundary hereafter described, it was found necessary to do something to such of the existing termini and marks as were not sufficiently clear, or could no longer be found, as well as to set up new ones for the better determination of the track, viz.:

(*a.*) On the Lake of Garda it was found to be convenient that a very visible and plain mark should be set up at the point of the

Boundary which touches the right bank, so that, together with the one already existing on the left bank, it should be sufficient to remove any doubt as to the separation of the Waters between the two States.

(*b.*) In the Territories of the adjoining Communes of Malcesine, Brentonico, Belluno, and Avio, it was found to be convenient that the ancient termini should be renovated, the better to show the track of the Boundary.

(*c.*) It was found expedient to do the same for the tract of the Boundary between the crest of the Sparavieri and that of the Tre Croci, as well as for the portion of Frontier next the Italian Commune of Pecolaro.

(*d.*) In the Territory of the Commune of Bagnaria it was agreed to adopt some modification, so as to do away with the inconvenience of dividing a house by the Boundary line.

(*e.*) Finally, it was held to be necessary, to place marks at those points of the principal roads passing from one State to the other, where the separation was not made clear by the existing marks.

The Commission entrusted to two of its delegates, that is, to Major Baron Mazza for Italy, and to Major Korwin, Knight, for Austria, the task of proceeding to the execution of these last operations, and of such others as had become necessary after its resolutions on the mixed affairs mentioned above.

The minutes of the aforesaid Commissioners, and the extract from them, of which a copy is annexed to the present Act, show the execution of the operations entrusted to them, and vouch for the new Marks set up in the separate localities.

Those last documents, like the copies of the minutes of the Commission, mentioned above, with the accompanying drawings, are declared to be an integral part of the present Act, and are as follows:

Copy of the Minutes No. 3 of the Commission.

Extract from the Minutes No. 12 of the Commission, with a drawing annexed.

Extract from the Minutes No. 15 of the Commission, with a drawing annexed.

Copy of the Minutes No. 16 of the Commission.

Extract from the Minutes No. 19 of the Commission, with a drawing annexed.

Copy of the Minutes No. 21 of the Commission.

[Boundary.]

Copy of the Report No. 5 of the Commissioners delegated for the operations.

Extract from the Reports of the same Commissioners, with two drawings annexed.

Ten sheets of the special Map of the Lombardo-Venetian Kingdom to a scale of $\frac{1}{86400}$, issued by the Geographical Institute of the Imperial and Royal Austrian-General Staff, are also annexed to the present Act, and declared to form an integral part of it; the general track of the Boundary is laid down thereon by a double line, blue and carmine.

The Commission has moreover agreed upon the following definitive dispositions, which provide for specialities of the Frontier:

ARTS. I to XIII. (See Table.)

*Ratifications.**

Done and concluded at Venice, the 22nd of December, 1867.

| | |
|---|---|
| C. ROBILANT. | J. KIRCHSBERG. |
| A. MAZZA. | KOPFINGER. |
| A. DE CHARBONNEAU. | KORWIN. |

* Ratifications exchanged at Florence, 17th March, 1868.

**No. 410.**—*CONVENTION between Great Britain, Austria, France, Italy, Prussia, in the name of the North German Confederation, and Turkey, for the Guarantee of a Loan to complete the Works at the Sulina Mouth and Branches of the Danube. Signed at Galatz, 30th April, 1868.*

[This Convention will expire on the 24th April, 1883. See **No. 439**].

ART. TABLE.

Preamble. Reference to Treaty of 30th March, 1856; and to Protocols of 28th March and 24th April, 1866.
1. Guarantee of Loan of £135,000.
2. Interest on and Redemption of Loan.
3. Power to pay Deficiency when Net Produce of Tolls is insufficient to pay Interest and Sinking Fund.
4. *British* Government to deposit at Bank of England sum necessary for payment of Interest and Sinking Fund. Other Powers to remit their Share.
5. Priority of Claim on produce of Tolls on the *Danube*. Rights of other Creditors.
6. Joint and Several Guarantee.
7. Ratifications.

(Translation as laid before Parliament.*)

*Reference to Treaty of 30th March, 1856; and to Protocols of 28th March and 24th April, 1866.*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Austria, King of Hungary and Bohemia, His Majesty the Emperor of the French, His Majesty the King of Italy, His Majesty the King of Prussia, in the name of the North German Confederation, and His Majesty the Emperor of the Ottomans,

Having recognised the necessity of putting the European Commission of the Danube in a position to contract a Loan on advantageous terms, and by this means to complete the Works of improvement undertaken, or to be undertaken, at the Mouth and in the Branch of the Sulina, without imposing too heavy burdens on the Vessels of all nations which frequent the Lower Danube;

And taking into consideration Articles XVI to XVIII of the Treaty concluded at Paris on the 30th March, 1856 (**No. 264**),

* For French version, see "State Papers," vol. lviii, p. 7.

which declare that a European Commission shall be charged to designate, and to cause to be executed, the Works necessary to put the Lower Danube before Isaktcha, its Mouths, and the parts of the Sea adjacent thereto, in the best possible state for Navigation; the said Treaty stipulating, moreover, that fixed Duties settled by the Commission may be levied in order to cover the expenses of such Works, as well as of the establishments intended to secure and to facilitate the Navigation at the Mouths of the Danube;

The Public Act relating to the Navigation of the said Mouths, signed at Galatz the 2nd of November, 1865,* sanctioned in the sitting of the Conference of Paris, held on the 28th March, 1866 (**No. 375**);

The decisions taken by the European Commission on the said 2nd November, 1865, on the 26th October, 1866, and on the 25th April, 1867, to the effect that new Works should be undertaken, in order to complete and render permanent the provisional improvements already effected at the Mouth and in the Branch of the Sulina, and that the cost of those Works should be covered by means of a Loan to be contracted by the Commission, and repayable out of the produce of the fixed Duties settled and levied by it;

The Resolutions adopted by the Conference of Paris in its sittings of the 28th March, and 24th April, 1866 (**No. 375**), concerning the term within which the new Works are to be finished;

The Declarations made by the Delegate of His Imperial Majesty the Sultan in the sitting of the European Commission of the 9th May, 1866, and in that of the 16th October following, from which it appears that with the intention of facilitating to the said Commission the conclusion of its Loan, the Sublime Porte renounces its claim to the repayment of the advances which it has itself made to cover the first expenses of the above-mentioned Works, until the moment when the new Loan to be contracted in order to finish the completion of them shall have been entirely paid off;

The Memorandum, dated the 15th October, 1866, submitted to the Powers which signed the Treaty of Paris, setting forth that the negotiations opened with a view to the said Loan have remained fruitless for want of sufficient Guarantees to offer to

* Altered by Regulation of 8th November, 1870. See Treaty of 13th March, 1871.

capitalists, and that it will be impossible for the Commission to find the resources necessary for the completion of its task, without an efficient support on the part of its high constituents;

And the provisions of the above-mentioned public Act of the 2nd November, 1865,* especially those of Articles XIV, XV, and XVI, relating to the collection and to the employment of the Sulina Tolls, and that of Article XXI, which ensures the benefit of Neutrality to the Works and establishments of every kind created by the European Commission, particularly to the Navigation Chest at Sulina;

Have named for their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, John Stokes, Esq., her Delegate in the said European Commission of the Danube, &c.;

His Majesty the Emperor of Austria, King of Hungary and Bohemia, &c., the Sieur Alfred Chevalier de Kremer, Delegate in the said European Commission, &c.;

His Majesty the Emperor of the French, the Sieur Louis Marie Adolphus Baron d'Avril, his Delegate in the said European Commission, &c.;

His Majesty the King of Italy, the Sieur Stephen Castelli, his Consul at Galatz, &c.;

His Majesty the King of Prussia, in the name of the North German Confederation, the Sieur Henry Ernest Werner, Count of Keyserling-Rautenburg, his Delegate in the said European Commission, &c.;

And His Majesty the Emperor of the Ottomans, Suleyman Behidj Pasha, Beylerbey of Roumelia, his Governor of the Province of Toultcha, his Delegate in the said European Commission of the Danube, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following arrangements:

*Guarantee of Loan of* £135,000.

ART. I. Their Majesties—

The Emperor of Austria, King of Hungary and Bohemia, engages, subject to the assent of the competent representative bodies, to Guarantee the Interest and Sinking Fund of a Loan of

* Altered by Regulation of 8th November, 1870. See Treaty of 13th March, 1871.

3,375,000 francs, or £135,000 sterling, to be contracted by the European Commission of the Danube;

The Emperor of the French engages, subject to the Ratification of the Legislative Body of France, to Guarantee the Interest and Sinking Fund of the same Loan;

The Queen of the United Kingdom of Great Britain and Ireland engages to recommend to her Parliament to enable her to Guarantee the Interest and Sinking Fund of the same Loan;*

The King of Italy engages, subject to the approbation of the Italian Parliament, to Guarantee the Interest and Sinking Fund of the same Loan;

The King of Prussia engages, in the name of the North German Confederation, subject to the assent of the Reichstag and of the Federal Council, to Guarantee the Interest and Sinking Fund of the same Loan;

The Emperor of the Ottomans engages to Guarantee the Interest and Sinking Fund of the same Loan;

And it is understood that this Guarantee shall be joint and several between all the High Contracting Parties.

*Interest on and Redemption of Loan.*

ART. II. The Interest payable on the said Loan shall not be higher than 5 per cent., and the duration of the Redemption shall not exceed a period of 13 years, reckoning from the 1st January, 1871, the date at which the payment of the Loan will have been completed by the lenders.

Reckoning from the first instalment, and until the 1st January, 1871, the joint and several Guarantee shall bear upon the Interest of the sums paid; and during the following years, upon the Annuities comprising both Interest and Repayment of the Capital, and not exceeding the total sum of 360,000 francs, or £14,400 sterling per annum.

*Powers to pay deficiency when Net produce of Tolls is insufficient to pay Interest and Sinking Fund.*

ART. III. If the net produce of the Tolls levied by the European Commission at the Sulina Mouth, in virtue of Article XVI of the Treaty of Paris (**No. 264**), after deduction of a sum not exceeding 400,000 francs, or £16,000 sterling, for the expenses of

* An Act of Parliament was passed on the 31st July, 1868 (31 and 32 Vict., cap. 126) to enable Her Majesty to carry this Convention into effect.

maintaining the Works, and of administration, should happen to be insufficient to provide completely for the payment of the Interest and Sinking Fund of the Loan, His Imperial Royal Apostolic Majesty, His Majesty the Emperor of the French, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the King of Italy, His Majesty the King of Prussia, in the name of the North German Confederation, and His Majesty the Emperor of the Ottomans, upon notice of the amount of the deficit, which shall be given to them one month before it becomes due, either by the European Commission, or by the authority which shall succeed it, or by the parties interested themselves, engage to furnish as an advance, before the expiration of that time, their share in the said Guarantee.

*British Government to deposit at Bank of England sum necessary for payment of Interest and Sinking Fund.*

ART. IV. In the event contemplated by the preceding Article, and in order to avoid all delay, the British Government engages to deposit at the Bank of England the whole sum necessary for the integral payment of the Interest and Sinking Fund at the precise time of their falling due.

*Other Powers to remit their Share.*

On their part, the other Contracting Powers engage to remit immediately their said share to the British Government.

*Priority of Claims on produce of Tolls on the Danube.*

ART. V. Article XIV of the Public Act of the 2nd November, 1865,* having stipulated that the Revenue produced by the above-mentioned Tolls should be appropriated by Priority and Preference to the repayment of the Loans contracted by the European Commission, and of those which it might contract in future for the completion of the Works of improvement of the Mouths of the Danube, the High Contracting Parties reserve the right to make use for themselves of the privilege of such Right of Priority and Preference, by right of substitution, in the event of their having been obliged to provide from their own funds for the service of the Guaranteed Loan.

*Rights of other Creditors.*

It is understood, however, that such Right of Priority will be

* Altered by Regulation of 8th November, 1870. See Treaty of 13th March, 1871.

exercised by the Powers without prejudice, either to the Rights of the holders of the scrip of this Loan, or to the anterior Rights of the creditors for whose benefit the European Commission has pledged its Revenues for the amount of the partial Loans, amounting to 111,100 ducats, issued on the 12th May, 1866, the 25th April and 4th November, 1867, in order to begin the permanent Works, and repayable at short terms from the produce of the Loan to be contracted.

*Joint and Several Guarantee.*

ART. VI. As soon as the present Convention shall have become definite for 4 at least of the High Contracting Parties, the joint and several Guarantee shall have its full and entire effect in respect of these latter.

*Ratifications.*

ART. VII. The present Convention shall be ratified. Each of the High Contracting Powers shall ratify in a single copy.

The Ratifications* shall be deposited in the space of 3 months, or sooner if possible, in the archives of the European Commission of the Danube, to be eventually handed over to the authority which shall succeed it.

In witness whereof, the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the Seal of their Arms.

Done at Galatz, the 30th April, 1868.

(L.S.) J. STOKES.
(L.S.) A. DE KREMER.
(L.S.) A. D'AVRIL.
(L.S.) CASTELLI STEFANO.
(L.S.) H. CTE. DE KEYSERLING.
(L.S.) SULEYMAN.

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[An Act of Parliament was passed on the 31st July, 1868 (31 & 32 Vict., cap. 126), to enable Her Majesty to carry the above Convention into effect.]

* British Ratification deposited in the Archives of the European Commission of the Danube at Galatz, 1st June, 1868.

## No. 411.—*FINAL ACT of the Delimitation of the International Frontier of the Pyrenees, between France and Spain. Bayonne, 11th July, 1868.*

TABLE.

Preamble. Reference to Treaty of 26th May, 1866.

Annex *First Part.*

I. Procès-Verbal of Landmarks between the Department of the *Pyrénées-Orientales* and the Province of *Girone.*

Section I. Landmarks of Frontier from the *Val d'Andorre* to the *Mediterranean.*
„ II. Landmarks of the *Llivia.*

II. Modification of Articles XVIII and XIX of the Treaty. Pasturage Rights.
III. Complement to the Enumeration of the Free Roads.
IV. Rights between bordering Communes.
V. Regulations for the Seizure of Cattle in accordance with Article XXX of the Treaty of 26th May, 1866.

*Second Part.*

Regulations relative to the enjoyment of the Waters common to both Countries:

I. Demarcation of the Bed of the *Raour.*
II. *Pont-Bovedo.*
III. Regulation for the Waters of the River *Tort* and River *Tartarès.*
IV. Regulation for the enjoyment of the Waters of the Canal of *Puycerda.*
V. Regulation for the Organisation of the International Administrative Commission of the Canal of *Puycerda.*

Chapter I. Composition of the Commission.
„ II. Functions of the Commission.
„ III. Collection of Taxes.

VI. Regulation for the enjoyment of the Waters of the River *Vanera.*
VII. Regulation for the enjoyment of the Waters of the Canal of *Angoustrine* and *Llivia.*
VIII. Regulation for the Organisation of the International Administrative Commission of the Canal of *Angoustrine* and *Llivia.*

Chapter I. Composition of the Commission.
„ II. Functions of the Commission.
„ III. Collection of Taxes.

[Boundaries.]

*Additional Stipulations.*

ART.

1. Floating Craft prohibited from being permanently stationed in the Waters of the *Bidassoa* from *Chapitelacoarria* to *Figuier Road*. Exceptions.
2. Punishment for infraction of Article I.
3. Ratifications.*

(Translation.†)

*Reference to Treaty of 26th May*, 1866.

HIS Majesty the Emperor of the French and Her Majesty the Queen of Spain, wishing to settle in a definitive manner the execution of the Treaty of Limits concluded at Bayonne on the 26th May, 1866 (**No. 373**), to modify certain dispositions of that Act, to put them in harmony with the views more clearly laid down by those interested, to complete the enumeration of the free Roads, to perpetuate certain customs, either existing or agreed upon on either side, and to sanction the Regulations of the International Commission of Engineers mentioned in Article XVIII of the Additional Act signed at Bayonne on the 26th May, 1866 (**No. 374**), have appointed as their Plenipotentiaries, namely:

His Majesty the Emperor of the French, the Sieur Camille Antoine Callier, General of Division, &c.;

And Her Majesty the Queen of Spain, Don Francisco Maria Marin, Marquis de la Frontera, Minister Plenipotentiary, &c. and Don Manuel de Monteverde y Bethancourt, Marshal of the National Armies, &c.;

Who, after having communicated to each other their respective Full Powers, found to be in good and due form, have drawn up and added in the first part of the present Final Act the 5 following Annexes to the Treaty signed at Bayonne on the 26th May, 1866, and have inserted in the second the Rules for the Regulation of the Waters prepared by the above-mentioned Commission of Engineers.

*First Part.*

ANNEXES I to V. See Table.

* Ratifications exchanged at Bayonne, 11th January, 1869.

† For French version, see "State Papers," vol. lix, p. 430.

*Second Part.*

I to VIII. See Table.

Done in duplicate at Bayonne, 11th July, 1868.

(L.S.) GENERAL CALLIER.
(L.S.) EL MARQUES DE LA FRONTERA.
(L.S.) MANUEL MONTEVERDE.

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ADDITIONAL STIPULATIONS *to the Boundary Treaty of 2nd December, 1856, between France and Spain. Bayonne, 11th July,* 1868.

THE undersigned Plenipotentiaries of France and Spain for the International Delimitation of the Pyrenees, duly authorised by their respective Sovereigns to complete the dispositions of the Treaty of Bayonne of the 2nd December, 1856 (**No. 275**), relative to the Police of the Navigation in the Waters of the Bidassoa, have agreed upon the following Articles :

ARTS. I to III. See Table.

Done in duplicate at Bayonne, 11th July, 1868.

(L.S.) GENERAL CALLIER.
(L.S.) EL MARQUES DE LA FRONTERA.
(L.S.) MANUEL MONTEVERDE.

## No. 412.— *CONVENTION between Baden, Bavaria, France, Hesse-Darmstadt, Netherlands, and Prussia, relative to the Navigation of the Rhine. Signed at Mannheim, 17th October,* 1868.

ART. TABLE.

Preamble. Reference to Convention of 31st March, 1831.
1.* Free Navigation of the *Rhine* and its Mouths. The *Leck* and the *Waal.*
2. Rights of Navigation to Boats, Rafts, and Floats of Wood belonging to the *Riverain States.* Obstructions in the Navigation of the *Rhine* to the open Sea by way of *Dordrecht, Rotterdam, Hellevoetsluis* and *Brielle,* to be replaced by other communications and open to all the *Riverain States.*
3.* Navigation, Dredging, and Buoying Dues on the *Rhine* or its *Tributaries,* prohibited.
4. National Treatment to Boats belonging to the Navigation of the *Rhine,* and their Cargoes.
5. Boatmen not to be forced to discharge either in whole or in part, or to tranship their Cargoes. Port and Harbour Duties abolished.
6. Import and Export Duties to be the same as at the Land Frontiers.
7.* Transit of Merchandise free from *Basle* to the Sea.
8. Free Ports on the *Rhine.* Power to increase number of Free Ports.
9. Regulations for the guidance of Boatmen.
10. Customs Regulations. Merchandise entering the *Rhine* for Internal, External, or Transit Trade.
11. Ports to be named at which Boatmen are to be allowed to disembark their Goods, &c.
12. Contraband.
13. Where several States are united by a Common System of Customs Dues, the Frontier of Union to be considered the Territorial Frontier.
14. Equal Import, Export and Transit Treatment on the *Rhine* as by Land.
15 to 21. Boatmen's Licenses.
22. Measurement, Rigging, and Draught of Water of Boats Navigating the *Rhine.*
23.† Arts. XV and XXII applicable only to Boats under 300 Weight.
24. Dispositions of Convention not applicable to Transports from shore to shore.
25. Bargemen's Certificates.
26. Remuneration to Pilots and Call Boys. Boatmen not obliged to engage Pilots.
27. Facilities for Loading, Unloading and Warehousing Merchandise. Commissioners of Police and Police Fees.

* See page 1851. † See page 1852.

ART. TABLE.

28. Maintenance of Towing Paths and Channel of the *Rhine*. Stipulation applicable to the Navigation between *Gorinchem*, *Krimpen*, *Dordrecht*, and *Rotterdam*. Buoys to be placed in parts of Channel where required.
29. Hydrotechnic Projects entertained by either of *Riverain* Governments to be communicated to the others.
30. Navigation of the *Rhine* not to be impeded by Mills, &c., nor by Bridges or other Works of Art.
31. Periodical Inspection of the River by Hydrotechnic Engineers.
32. Fine for Contravention of Police Regulations.
33 to 40. Tribunals for the Navigation of the *Rhine*.
41 to 47. Powers and Duties of Central Commission, Inspectors, and other Officers of the Customs Navigation and their Salaries.
48. Convention to replace Convention of 31st March, 1831, as well as all Supplementary and Additional Articles, &c.

*Closing Protocol.*

1. Privileges to Boats belonging to the Navigation of the *Rhine*.
2. Exceptions as to Free Navigation of the *Rhine* and levying of certain Dues.
3. Free Ports.
4. Relative to Article XV of the Convention: A. Apprenticeship of Boatmen. B. Agreement between *Baden*, *Bavaria*, *France*, *Hesse*, and *Prussia*, relative to the Certificates of Service of the Crew.
5. Relative to Article XXII of the Convention. Watermark of Boats.
6. Meaning of Hundredweight.
7. Relative to Article XXX of the Convention. The *Netherlands* engage to provide convenient Passages for Boats and Rafts where Bridges are obliged to be built on Navigable Waters leading from the *Rhine* to the Sea by *Dordrecht*, *Rotterdam*, *Hellevoetsluis* and *Brielle*. Consent of Plenipotentiaries.
8. Relative to Article XXXII of the Convention. Penalties for Contravention of Police Regulations.
9. Relative to Article XLVII. Duties of Central Commission. Proportion of Pensions to be paid by each *Riverain* State. Archives of Central Commission.

(Translation.*)

*Reference to Convention of 31st March, 1831.*

THE Convention relative to the Navigation of the Rhine, concluded on the 31st March, 1831 (**No. 151**), between the Riverain

* For French version, see "State Papers," vol. lix, p. 470.

Governments, having since then undergone numerous modifications, and a part of the stipulations contained therein being no longer in harmony with the actual conditions of the Navigation, His Majesty the Emperor of the French, His Royal Highness the Grand Duke of Baden, His Majesty the King of Bavaria, His Royal Highness the Grand Duke of Hesse, His Majesty the King of the Netherlands, and His Majesty the King of Prussia, have resolved, by common consent, to revise that Convention, maintaining, nevertheless, the principle of the Free Navigation of the Rhine in matters of commerce, and have, to that effect, appointed Commissioners Plenipotentiary, namely:

[Here follow the names.]

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed, under reservation of Ratifications, to the following dispositions:

*Free Navigation of the Rhine and its Mouths. The Leck and the Waal.*

ART. I.* The Navigation of the Rhine and its Mouths, from Basle to the sea, either descending or ascending, shall be free to the Ships of all Nations for the transport of Merchandise and Persons, on condition of conforming to the Stipulations contained in the present Convention, and to the measures prescribed for the maintenance of general security.

Except these Regulations, no obstacle whatever shall be put to the Free Navigation.

The Leck and the Waal are considered as forming part of the Rhine.

ART. II. *Rights of Navigation to Boats, Rafts, and Floats of Wood belonging to the Riverain States. Obstructions in the Navigation of the Rhine to the open Sea by way of Dordrecht, Rotterdam, Hellevoetsluis, and Brielle, to be replaced by other communications, and open to all the Riverain States.*

*Navigation, Dredging, and Buoying Dues on the Rhine or its Tributaries prohibited.*

ART. III.* No Duties based solely on the fact of Navigation can be levied on Vessels or their Cargoes, or on Rafts navigating

* See page 1851.

on the Rhine, or its Tributaries, as far as they are situated on the Territories of the High Contracting Parties, and on the navigable courses mentioned in Article II. Dredging and Buoying Duties shall likewise be prohibited on the navigable courses mentioned in the previous paragraph, above Rotterdam and Dordrecht.

ARTS. IV to VII. See Table.

*Free Ports on the Rhine. Power to increase Number of Free Ports.*

ART. VIII.* The Free Ports actually open to the commerce of the Rhine remain Free. The High Contracting Parties reserve to themselves the right of increasing their number. Merchandise warehoused in those Free Ports shall not be subjected to any Import or Export Duties, unless they are finally intended for trade in the Riverain State itself or in the Territories of the Customs and Duties system, of which that State forms a part.

ARTS. IX to XLVII. See Table.

*Convention to replace Convention of 31st March, 1831, as well as all Supplementary and Additional Articles, &c.*

ART. XLVIII. The present Convention is intended to replace the Convention relative to the Navigation of the Rhine of 31st March, 1831 (**No. 151**), the Supplementary and Additional Articles to that Act, as well as all other Resolutions relative to matters enacted in that Convention. It shall come into operation on the 1st July, 1869. It shall be ratified, and the Ratifications† shall be exchanged at Mannheim, within the delay of 6 months.

In faith whereof, the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done at Mannheim, 17th October, 1868.

(L.S.) GOEPP.
(L.S.) DIETZ.
(L.S.) WEBER.
(L.S.) SCHMITT.
(L.S.) VERKERK PISTORIUS.
(L.S.) MOSER.

* See Protocol, page 1851.

† Ratifications exchanged at Mannheim, 17th April, 1869.

[Navigation of the Rhine.]

## Closing Protocol.

On proceeding to the signature of the revised Convention for the Navigation of the Rhine, concluded between them by virtue of their Full Powers, the undersigned have made the following Reserves and Declarations:

*Privileges to Boats belonging to the Navigation of the Rhine.*

1. Relative to Article I of the Convention. It is understood that the Right to the Free Navigation of the Rhine and its Mouths does not extend to the Privileges which are only granted to Boats belonging to the Navigation of the Rhine, or to those which are assimilated to them.

*Exceptions as to Free Navigation of the Rhine and Levying of certain Dues.*

2. Relative to Article III of the Convention. A. It has been unanimously recognised that the Stipulations of the first Paragraph of that Article do not apply to Fees for the opening and closing of the Bridges which are levied on other navigable Waters than the Rhine, or to the Duties to be levied for the use of Artificial Navigable Waters or Works of Art, such as Sluices, &c.

B. The Prussian Plenipotentiary remarks that on the Ruhr a small Duty is levied on Navigation; that his Government intend shortly to abolish that Duty, but that he must reserve to his Government the appointment of the time at which such abolition shall take place. The Netherlands Plenipotentiary stated that the Overseers of the Buoys on a part of the Meuse, in the Duchy of Luxemburg, still levy small Buoy Dues which cannot be abolished without the co-operation of Belgium, and that for that reason he must reserve for his Government the execution of the Stipulations contained in the Second Paragraph of Article III, as far as regards that part of the Meuse. No objection was made to these Reserves by the other Plenipotentiaries.

*Free Ports.*

3. Relative to Article VIII of the Convention. The Free Ports actually existing are the following:—In France, Strasburg; in Baden, Kehl, Maxau, Leopoldshafen, Mannheim; in Bavaria, Neubourg, Spire, Ludwigshafen; in Hesse, Mayence; in

Prussia, Biebrich, Oberlahnstein, Coblentz, Cologne, Neuss, Dusseldorf, Uerdingen, Dinsbourg, Ruhrort, Wesel, Emmerich; in the Netherlands, Amsterdam, Rotterdam, and Dordrecht.

4 and 5. See Table.

*Meaning of Hundredweight.*

6. Relative to Article XXIII of the Convention. By Hundredweight is understood here as elsewhere when that expression is used in the present Convention, the Customs Hundredweight of 50 kilogrammes.

7 to 9. See Table.

Done at Mannheim, 17th October, 1868.

(L.S.) GOEPP.
(L.S.) DIETZ.
(L.S.) WEBER.
(L.S.) SCHMITT.
(L.S.) VERKERK PISTORIUS.
(L.S.) MOSER.

## No. 413.—*ADDITIONAL ARTICLES (proposed) relating to the Condition of the Wounded in War. Signed at Geneva, 20th October*, 1868.*

ART. TABLE.

1. Persons engaged in Ambulances and Hospitals to continue their Duties towards the Wounded after occupation by the Enemy. Commander of occupying Troops to give permission for withdrawal.
2. Pay to be continued to Neutralised Persons whilst in the power of the Enemy.
3. Interpretation of the word Ambulance.
4. Privileges to Inhabitants entertaining Wounded Men.
5. Wounded, with the exception of Officers, whether capable or incapable of serving, to be sent to their Country, on condition of not bearing Arms during the remainder of the War.
6. Boats conveying Shipwrecked or Wounded to a Neutral or Hospital Ship to have the character of Neutrality. Wrecked and Wounded not to serve during continuance of the War.
7. Religious, Medical, and Hospital Staff of a captured Vessel declared Neutral, with power to remove their Private Property.
8. The Staff to assist in removal of the Wounded.
9. Captured Military Hospital Ships and their Stores. Neutrality of Hospital Ships and their Staff during the War.
10. Neutrality of Merchantmen with Sick and Wounded on board. Cargo to enjoy Neutrality of the Merchantman, if not Contraband of War. Interdiction to Neutralised Vessels. Special Conventions for removal of Sick and Wounded.
11. Captors to protect and take care of the Wounded. Conditions of their return to their own Country.
12. Distinctive Flag of Neutralised Vessel or Boat. Verification of Flag. Colours of Military Hospital Ships.
13. Neutrality of Hospital Ships equipped at expense of Aid Societies. Recognition and Protection by Belligerents. Flag to be used by the Ship, and Armlet to be worn by the Staff. Non-interference with the Combatants. Duty to be performed at their own risk and peril. Right of Belligerents to control and visit them. Wounded and Wrecked not to serve during the continuance of the War.
14. Suspension of Convention in case a Belligerent takes advantage of benefit of Neutrality.
15. Original of Act to be kept in Archives of the Swiss Confederation, and a copy sent to each of the Signatory and Adhering Powers.

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* Provisionally accepted in July, 1870, by France and Germany, in the war of 1870–1.

(Translation.)

*Persons engaged in Ambulances and Hospitals to continue their Duties towards the Wounded after occupation by the Enemy.*

ART. I. The Persons designated in Article II of the Convention (**No. 365**) shall, after the occupation by the Enemy, continue to fulfil their Duties, according to their wants, to the Sick and Wounded in the Ambulance or the Hospital which they serve.

*Commander of occupying Troops to give permission for withdrawal.*

When they request to withdraw, the Commander of the occupying Troops shall fix the time of Departure, which he shall only be allowed to delay for a short time in case of Military necessity.

*Pay to be continued to Neutralised Persons whilst in the power of the Enemy.*

ART. II. Arrangements will have to be made by the Belligerent Powers to ensure to the Neutralised Person, fallen into the hands of the Army of the Enemy, the entire enjoyment of his Salary.

*Interpretation of the word Ambulance.*

ART. III. Under the conditions provided for in Articles I and IV of the Convention (**No. 365**), the name Ambulance applies to Field Hospitals and other Temporary Establishments which follow the Troops on the Field of Battle to receive the Sick and Wounded.

*Privileges to Inhabitants entertaining Wounded Men.*

ART. IV. In conformity with the spirit of Article V of the Convention (**No. 365**) and to the reservations contained in the Protocol of 1864, it is explained, that for the apportionment of the charges relative to the Quartering of Troops and of the Contributions of War, account only shall be taken in an equitable manner of the charitable zeal displayed by the Inhabitants.

*Wounded, with the exception of Officers, whether capable or incapable of serving, to be sent to their Country on condition of not bearing Arms during the remainder of the War.*

ART. V. In addition to Article VI of the Convention (**No.**

365), it is stipulated that, with the reservation of Officers whose detentiom might be important to the fate of Arms and within the limits fixed by the second paragraph of that Article, the Wounded fallen into the hands of the Enemy, shall be sent back to their Country, after they are cured, or sooner if possible, on condition nevertheless of not again bearing Arms during the continuance of the War.

*Boats conveying Shipwrecked or Wounded to a Neutral or Hospital Ship to have the character of Neutrality.*

ART. VI. The Boats which, at their own risk and peril, during and after an engagement pick up the Shipwrecked or Wounded, or which, having picked them up, convey them on board a Neutral or Hospital Ship, shall enjoy, until the accomplishment of their mission, the character of Neutrality, as far as the circumstances of the engagement, and the position of the ships engaged will permit.

The appreciation of these circumstances is entrusted to the humanity of all the combatants.

*Wrecked and Wounded not to serve during continuance of the War.*

The Wrecked and Wounded thus picked up and saved, must not serve again during the continuance of the War.

*Religious, Medical, and Hospital Staff of a captured Vessel declared Neutral, with power to remove their Private Property.*

ART. VII. The Religious, Medical, and Hospital Staff of any captured Vessel are declared Neutral, and, on leaving the Ship, may remove the Articles and Surgical Instruments which are their private property.

*The Staff to assist in removal of the Wounded.*

ART. VIII. The Staff designated in the preceding Article must continue to fulfil their functions in the captured Ship, assisting in the removal of Wounded made by the victorious party; they will then be at liberty to return to their Country in conformity with the second paragraph of the first Additional Article.

The stipulations of the second Additional Article are applicable to the pay and allowance of the Staff.

*Captured Military Hospital Ships and their Stores.*

ART. IX. The Military Hospital Ships remain under martial law, in all that concerns their Stores; they become the property of the Captor, but the latter must not divert them from their special appropriation during the continuance of the War.

*Neutrality of Hospital Ships and their Staff during the War.*

The Vessels not equipped for fighting which, during Peace, the Government shall have officially declared to be intended to serve as floating Hospital Ships, shall, however, enjoy during the War complete Neutrality, both as regards Stores, and also as regards their Staff, provided their equipment is exclusively appropriated to the special service on which they are employed.

*Neutrality of Merchantmen with Sick and Wounded on Board.*

ART. X. Any Merchantman, to whatever nation she may belong, charged exclusively with the removal of Sick and Wounded, is protected by Neutrality, but the mere fact, noted on the Ship's Books of the Vessel having been visited by an enemy's Cruiser, renders the Sick and Wounded incapable of serving during the continuance of the War. The Cruiser shall even have the right of putting on board an officer in order to accompany the convoy, and thus verify the good faith of the operation.

*Cargo to enjoy Neutrality of the Merchantman if not Contraband of War.*

If the merchant ship also carries a Cargo, her Neutrality will still protect it, provided that such Cargo is not of a nature to be confiscated by the Belligerent.

*Interdiction to Neutralized Vessels.*

The Belligerents retain the right to interdict Neutralized Vessels from all communication, and from any course which they may deem prejudicial to the secresy of their operations.

*Special Conventions for removal of Sick and Wounded.*

In urgent cases, special Conventions may be entered into between Commanders-in-Chief, in order to Neutralize temporarily and in a special manner, the Vessels intended for the removal of the Sick and Wounded.

[Wounded in War.]

*Captors to protect and take care of the Wounded.*

ART. XI. Wounded or Sick Sailors and Soldiers, when embarked, to whatever Nation they may belong, shall be protected and taken care of by their Captors.

*Conditions of their return to their own Country.*

Their return to their own country is subjected to the provisions of Article VI, of the Convention (**No. 365**), and of the Additional Article V.

*Distinctive Flag of Neutralised Vessel or Boat.*

ART. XII. The distinctive Flag to be used with the National Flag, in order to indicate any Vessel or Boat which may claim the benefits of Neutrality, in virtue of the principles of this Convention, is a White Flag with a Red Cross.

*Verification of Flag.*

The Belligerents may exercise in this respect any mode of verification, which they may deem necessary.

*Colours of Military Hospital Ships.*

Military Hospital Ships shall be distinguished by being painted White outside, with Green strake.

*Neutrality of Hospital Ships equipped at expense of Aid Societies.*

ART. XIII. The Hospital Ships which are equipped at the expense of the Aid Societies recognised by the Governments signing this Convention, and which are furnished with a commission emanating from the Sovereign who shall have given express authority for their being fitted out, and with a certificate from the proper Naval authority, that they have been placed under his control during their fitting out and on their final departure, and that they were then appropriated solely to the purpose of their mission, shall be considered Neutral, as well as the whole of their Staff.

*Recognition and Protection by Belligerents.*

They shall be recognised and protected by the Belligerents.

*Flag to be used by the Ship and Armlet to be worn by the Staff.*

They shall make themselves known by hoisting, together with their National Flag, the White Flag with a Red Cross. The dis-

tinctive mark of their Staff, while performing their duties shall be an Armlet of the same colours.

The outer painting of these Hospital Ships shall be White with Red strake.

These Ships shall bear aid and assistance to the Wounded and Wrecked Belligerents without distinction of Nationality.

*Non-interference with the Combatants.*

They must take care not to interfere in any way with the movements of the Combatants.

*Duty to be performed at their own risk and peril.*

During and after the Battle they must do their duty at their own risk and peril.

*Right of Belligerents to control and visit them.*

The Belligerents shall have the right of controlling and visiting them; they will be at liberty to refuse their assistance, to order them to depart, and to detain them if the exigencies of the case require such a step.

*Wounded and Wrecked not to serve during the continuance of the War.*

The Wounded and Wrecked picked up by these Ships cannot be reclaimed by either of the Combatants, and they will be required not to serve during the continuance of the War.

*Suspension of Convention in case a Belligerent takes advantage of benefit of Neutrality.*

ART. XIV. In Naval Wars any strong presumption that either Belligerent takes advantage of the benefits of Neutrality with any other view than the interest of the Sick and Wounded, gives to the other Belligerent, until proof to the contrary, the right of suspending the Convention, as regards such Belligerent.

Should this presumption become a certainty, notice may be given to such Belligerent that the Convention is suspended with regard to him during the whole continuance of the War.

*Original of Act to be kept in Archives of the Swiss Confederation, and a Copy sent to each of the Signatory and Adhering Powers.*

ART. XV. The present Act shall be drawn up in a single

Original Copy, which shall be deposited in the Archives of the Swiss Confederation.

An Authentic Copy of that Act shall be delivered, with an invitation to adhere thereto, to each of the Powers signers of the Convention of the 22nd August, as well as to those who have acceded thereto.

In faith whereof the undersigned Commissioners have drawn up the present Project of Additional Articles, and have affixed thereto the Seal of their Arms.

Done at Geneva, the 20th of October, 1868.

| | | |
|---|---|---|
| For Great Britain..... | (L.S.) | JOHN SAVILE LUMLEY. |
| | (L.S.) | H. R. YELVERTON. |
| „ Austria ..... | (L.S.) | Dr. MUNDY. |
| „ Baden..... | (L.S.) | STEINER. |
| „ Bavaria ..... | (L.S.) | Dr. DOMPIERRE. |
| „ Belgium..... | (L.S.) | VISSCHERS. |
| „ Denmark..... | (L.S.) | J. B. G. GALIFFE. |
| „ France ..... | (L.S.) | A. COUPVENT DES BOIS. |
| | (L.S.) | H. DE PREVAL. |
| „ Italy ..... | (L.S.) | D. FELICE BAROFFIO. |
| | (L.S.) | PAOLO COTTRAU. |
| „ Netherlands ..... | (L.S.) | H. A. van KARNEBECK. |
| | (L.S.) | WESTENBERG. |
| „ North Germany.... | (L.S.) | Von ROEDER. |
| | (L.S.) | F. LOEFFLER. |
| | (L.S.) | KÖHLER. |
| „ Sweden and Norway | (L.S.) | F. N. STAAFF. |
| „ Switzerland ..... | (L.S.) | G. H. DUFOUR. |
| | (L.S.) | G. MOYNIER. |
| | (L.S.) | Dr. S. LEHMANN. |
| „ Turkey..... | (L.S.) | HUSNY. |
| „ Wurtemberg ..... | (L.S.) | Dr. C. HAHN. |
| | (L.S.) | Dr. FICHTE. |

On the 22nd July, 1870, the Swiss Government announced that, with the exception of Spain and Rome, all the States who signed the Geneva Convention had adhered to the above Additional Articles.

**No. 414.**—*DECLARATION between Great Britain, Austria, Bavaria, Belgium, Denmark, France, Greece, Italy, Netherlands, Persia, Portugal, Prussia and North German Confederation, Russia, Sweden and Norway, Switzerland, Turkey, and Wurtemberg, renouncing the use, in time of War, of Explosive Projectiles under* 400 *Grammes Weight. Signed at St. Petersburgh,* $\frac{29\text{th November}}{11\text{th December}}$, 1868.

(Translation as laid before Parliament.*)

*Declaration.*

On the proposition of the Imperial Cabinet of Russia, an International Military Commission having assembled at St. Petersburgh in order to examine into the expediency of forbidding the use of certain Projectiles in times of War between civilised nations, and that Commission, having by common agreement fixed the technical limits at which the necessities of War ought to yield to the requirements of humanity, the Undersigned are authorised by the orders of their Governments to declare as follows:

Considering that the progress of civilisation should have the effect of alleviating as much as possible the calamities of War;

That the only legitimate object which States should endeavour to accomplish during War is to weaken the Military Forces of the enemy;

That for this purpose it is sufficient to disable the greatest possible number of men;

That this object would be exceeded by the employment of arms which uselessly aggravate the sufferings of disabled men, or render their death inevitable;

That the employment of such arms would, therefore, be contrary to the laws of humanity;

The Contracting Parties engage mutually to renounce, in case of War among themselves, the employment by their Military or Naval Troops of any Projectile of a weight below 400 grammes, which is either Explosive or charged with Fulminating or Inflammable Substances.

They will invite all the States which have not taken part in

* For French Version, see "State Papers," vol. lviii, p. 16.

the deliberations of the International Military Commission assembled at St. Petersburgh, by sending Delegates thereto, to accede to the present engagement.

This engagement is obligatory only upon the Contracting or Acceding Parties thereto, in case of War between two or more of themselves: it is not applicable with regard to non-Contracting Parties, or Parties who shall not have acceded to it.

It will also cease to be obligatory from the moment when, in a War between Contracting or Acceding Parties, a non-Contracting Party or a non-Acceding Party shall join one of the Belligerents.

The Contracting or Acceding Parties reserve to themselves to come hereafter to an understanding whenever a precise proposition shall be drawn up in view of future improvements which science may effect in the armament of troops, in order to maintain the principles which they have established, and to conciliate the necessities of War with the laws of humanity.

Done at St. Petersburgh, the $\frac{29\text{th November}}{11\text{th December}}$, 1868.

| | |
|---|---|
| For Great Britain .. .. | ANDREW BUCHANAN. |
| „ Austria-Hungary .. .. | VETSERA. |
| „ Bavaria .. .. .. | COUNT TAUFFKIRCHEN. |
| „ Belgium .. .. .. | COUNT ERREMBAULT DE DUDZEELE. |
| „ Denmark .. .. .. | E. VIND. |
| „ France .. .. .. | TALLEYRAND. |
| „ Greece .. .. .. | S. A. METAXA. |
| „ Italy .. .. .. .. | BELLA CARACCIOLO. |
| „ Netherlands .. .. .. | BARON GEVERS. |
| „ Persia .. .. .. | MIRZA ASSEDULLAH KHAN. |
| „ Portugal .. .. .. | RILVAS. |
| „ Prussia and North German Confederation .. .. | H. VII v. REUSS. |
| „ Russia .. .. .. | GORTCHACOW. |
| „ Sweden and Norway .. | O. M. BJORNSTJERNA. |
| „ Switzerland .. .. .. | AD. GLINZ. |
| „ Turkey .. .. .. | CARATHEODORY. |
| „ Wurtemberg .. .. .. | C. V. ABELE. |

## No. 415.—*BOUNDARY TREATY between the Netherlands and Prussia. Signed at Aix-la-Chapelle, 11th December, 1868.*

ART. TABLE.

Preamble. Reference to Treaty of 26th June, 1816.
1. Alterations in the Bed of the River *Worms.* Landmarks between the Commune of *Merkstein,* District of *Aix-la-Chapelle,* and the Commune of *Kerkrade,* Duchy of *Luxemburg;* between the *Prussian* Commune of *Rimburg* and the Netherlands Commune of *Eygelshoven;* between the *Prussian* Commune of *Rimburg* and the *Netherlands* Commune of *Uback over Worms;* and between the *Netherlands* and *Prussian* Communes of *Rimburg,* near the Castle of the same name. Measures to be taken in future to prevent alterations in the River *Worms.*
2. Demarcation between *Gangelt,* Kingdom of *Prussia,* and *Schinveldt,* Kingdom of the *Netherlands.*
3. New line of Frontier between *Gangelt* and *Schinveldt,* in consequence of the drying up of the rivulet *Rigole.*
4. Landmarks between the *Netherlands* Commune of *Vlodrop* and the *Prussian* Commune of *Effelt.*
5 and 6. Extent of Lands reciprocally ceded by the *Netherlands* and *Prussia.*
7. Maps of Frontiers annexed between—1, *Effelt* and *Vlodrop;* 2, between *Schinveldt* and *Gangelt.*

(Translation.)

*Reference to Treaty of 26th June, 1816.*

By the Boundary Treaty between His Majesty the King of the Netherlands and the King of Prussia, signed at Aix-la-Chapelle on the 26th June, 1816 (**No. 56**), the Frontiers of their respective States on the Right Bank of the Meuse and along the Grand Duchy of Luxemburg, have been definitively fixed, and in virtue of the Stipulations of that Treaty, the Demarcation of the Frontiers has been regulated and laid down by the *Procès-Verbal* of the line of Demarcation between the Kingdoms of the Netherlands and Prussia containing the description of all the roads and sinuosities of that Limit, &c., signed at Emmerich, 23rd September, 1818.

Since that period, the external signs of the Frontiers, stipulated in Articles XXII and XXIV of the Treaty of Aix-la-Chapelle (**No. 56**), between the Landmarks 238, 239, 263–266, 268–271, and 372, 373, such as they are described in the *Procès-Verbal* of

Emmerich, have been altered and have disappeared in many places, or can only be found with great difficulty.

It was, therefore, necessary to provide for these gaps in the external signs of the Frontier by a supplement to the above-mentioned Treaty and *Procès-Verbal*.

For that purpose they have appointed Commissioners, furnished as such with Full Powers:

By His Majesty the King of the Netherlands, the Sieur Pierre Joseph Auguste Marie von der Does de Villebois, his Commissioner in the Duchy of Limburg, &c.; and the Sieur Theophile François Lemire, Engineer of Surveys in the Provinces of Gueldre and Utrecht, and in a part of those of Northern Netherlands; and

By His Majesty the King of Prussia, the Chevalier Frederic Chrétien Hubert von Kühlwetter, former Minister of State, President of the Royal Regency of Dusseldorf, &c.; and the Sieur Eugene Peltzer, Inspector of Surveys and Councillor of Finances, &c.;

Who, after having exchanged their Full Powers, found to be in good and due form, have agreed to add to the above-mentioned Treaty of 26th June, 1816 (**No. 56**), and to the *Procès-Verbal* of 23rd September, 1818, the Declarations and Stipulations contained in the following Articles:

ARTS. I to VII. See Table.

Done at Aix-la-Chapelle, 11th December, 1868.

(L.S.) V. D. D. D. VILLEBOIS.
(L.S.) LEMIRE.
(L.S.) VON KUHLWETTER.
(L.S.) PELTZER.

**No. 416.**—*DECLARATION of the Allied Powers (Great Britain, Austria, France, Italy, Prussia, Russia, and Turkey), relative to the Obligations of Greece towards Turkey, and the restoration of Friendly Relations between those States. Paris, 20th January,* 1869.*

[Inserted in Protocol No. 5 of the 20th January, 1869.
See p. 1868.]

(Translation as laid before Parliament.†)

THE Plenipotentiaries of Austria-Hungary, France, Great Britain, Italy, Prussia and Russia affix their Signatures to the document, which is finally settled in the following terms:

DECLARATION.

"Justly pre-occupied with the dangers which may arise from the rupture of Relations between Turkey and Greece, the Powers, signataries of the Treaty of 1856 (**No. 264**), have come to an understanding to settle the dispute which has arisen between the two States, and for this purpose have authorised their Representatives at the Court of His Majesty the Emperor of the French to meet in Conference.

"After an attentive study of the documents exchanged between the two Governments, the Plenipotentiaries have agreed in regretting that, yielding to impulses with regard to which she may have been led astray by her patriotism, Greece should have given occasion for the grievances specified by the Ottoman Porte in the Ultimatum transmitted on the 11th December, 1868, to the Foreign Minister of His Majesty the King of the Hellenes. It is indeed unquestionable that the principles of International Law oblige Greece, like all other Nations, not to allow that Bands should be recruited on her territory, or that Vessels should be armed in her ports to attack a neighbouring State.

"Persuaded, moreover, that the Cabinet of Athens could not misunderstand the thought which suggests this view to the 3 Courts, protectors of Greece, and to all the other Powers, signataries of the Treaty of 1856 (**No. 264**), the Conference declares

* Greece proclaimed its adhesion to the above Declaration, on the 6th February, 1869.

† For French version, see "State Papers," vol. lix, p. 837.

that the Hellenic Government is bound to observe in its Relations with Turkey the rules of conduct common to all Governments, and thus to satisfy claims put forward by the Sublime Porte in respect to the past, by re-assuring her at the same time with regard to the future.

"Greece ought, therefore, in future, to abstain from favouring or tolerating:

"1. The formation on her Territory of any Band recruited with a view to an aggression against Turkey.

"The Equipment in her Ports of Armed Vessels intended to succour, under any form whatever, any attempt at Insurrection in the possessions of His Majesty the Sultan.

"With regard to the demands of the Porte relative to the repatriation of Cretans emigrated to Hellenic Territory, the Conference takes note of the Declarations made by the Cabinet of Athens, and is convinced that it will, as far as depends upon it, be ready to facilitate the departure of the Candiot families who may wish to return to their country.

"As to the private losses sustained by Ottoman subjects, the Hellenic Government, in no way contesting the right of Turkey to endeavour to obtain by legal means the compensation which may be due, and Turkey accepting on her side the jurisdiction of the Greek Tribunals, the Plenipotentiaries do not think that they ought to enter upon an examination of the facts, and are of opinion that the Cabinet of Athens ought to neglect no legal means to enable justice to be done in due course.

"The Conference cannot doubt that, in presence of the unanimous expression of the opinion of the Plenipotentiaries on the questions submitted to their examination, the Hellenic Government will hasten to conform its acts to the principles which have just been stated, and that the grievances as set forth in the ultimatum of the Porte will by the very fact be definitively removed.

"This Declaration shall be made known without delay to the Cabinet of Athens, and the Plenipotentiaries are convinced that the Sublime Porte will forego carrying out the measures announced as intended to follow upon the rupture of diplomatic relations, if, in a communication notified to the Conference, the Hellenic Government defers to the opinion expressed by it.

"The Plenipotentiaries appealing, then, to the same sentiments of conciliation and peace which animate the Courts whose Representatives they are, express the hope that the two Governments

will not hesitate to renew their Relations, and thus to efface, in the common interest of their subjects, every trace of the disagreement which led to the assembling of the Conference (**No. 417**)."

The Turkish Plenipotentiary says that he will sign the Protocol in which the Declaration is to appear, but will abstain from signing the Document itself which is to be presented to the Cabinet of Athens. In acting thus, in conformity with the instructions which he has received, he yields to a feeling of reserve and moderation, which appears to him to coincide with the views of the Conference.

The Marquis de Lavalette announces that he proposes to transmit the Declaration to the Greek Minister for Foreign Affairs, by the Messenger who will leave Paris on Friday the 22nd January.

The French Plenipotentiary calls attention to an anxiety felt by the Ottoman Government, and which the Turkish Ambassador has mentioned to him.

Disposed to conform to the wish expressed in the Declaration, that diplomatic relations should not any longer remain interrupted between the two countries, the Porte is in doubt what steps should be taken for the renewal of relations, and thinks it necessary that the Hellenic Government should take the initiative in this respect. The French Plenipotentiary is of opinion that it would be advantageous to arrange this difficulty in order to remove beforehand everything which might delay the reconciliation which it has been their object to bring about.

As soon as Greece adheres to the Declaration, Turkey having on her side, and on this condition renounced carrying out the threatening measures indicated in the ultimatum, it might be decided that the relations of the two Cabinets should be thereby re-established.

The Conference comes to a resolution in this sense.

It is agreed at the same time that the letter addressed to the Greek Minister for Foreign Affairs, transmitting the Declaration signed to-day shall contain a statement of the wish unanimously expressed on this subject by the Plenipotentiaries.

The French Plenipotentiary asks that the terms of this despatch may be immediately settled. He reads the draft prepared by him, in conformity with the ideas exchanged at the preceding sitting. The draft is adopted after being completed in accordance with the decision just taken.

On the proposition of the Russian Plenipotentiary it is agreed that this document shall be annexed to the Protocol.

The Marquis de Lavalette observes that his intention being to send off the day after to-morrow the communication which he is charged to address to the Cabinet of Athens, it is of pressing importance to notify the different Courts; and the Plenipotentiaries of Austria-Hungary, Great Britain, Italy, Prussia, and Russia, undertake to inform their Governments, in order that the Legations in Greece may be instructed to give their support to the proceeding of the President of the Conference.

Done at Paris, the 20th January, 1869.

[Here follow the Signatures.]

[Greece gave its adhesion to this Declaration on the 6th February, 1869.]

## No. 417.—*PROTOCOLS OF CONFERENCES between Great Britain, Austria, France, Italy, Prussia, Russia, and Turkey, relative to the Differences between Turkey and Greece. Paris, January, February,* 1869.


| | | "State Papers," vol. lix, page |
|---|---|---|
| Protocol No. 1. | Assembling of Conference. Refusal of *Greece* to join Conferences, except on terms of equality. *Greece* and *Turkey* called upon to maintain the *status quo*. Paris, 9th January, 1869 | 813 |
| No. 2. | Answers relative to *status quo* not received from *Greece* and *Turkey*. Invitation to Greece not to persist in refusal to assist at Conferences. Paris, 12th January, 1869 | 816 |
| | Annex. M. de Lavalette to Baron Baude. Paris, 10th January, 1869 | 817 |
| No. 3. | Adhesion of *Turkey* to maintenance of *status quo*, except decision relative to closing of *Ottoman* Ports to *Greek* Vessels. Answers not received from *Greece*. Determination to proceed with deliberations without the assistance of *Greece*. Subjects for deliberation. *Greek* succour to an Insurgent Province of *Turkey;* indirect assistance given by *Greece;* opposition in *Greece* to repatriation of *Candiot* Families; acts of Violence on *Ottoman* Subjects in *Hellenic* Territory; and refusal of *Greece* to give satisfaction to the repeated complaints of *Turkey*. Proposal to draw up a Declaration to be addressed to *Greece* and signed by the Powers, agreed to. Paris, 14th January, 1869 | 818 |
| No. 4. | Instructions not received by *Turkish* Plenipotentiary relative to proposed Declaration. Discussion of Draft of proposed Declaration to *Greece*. Adhesion to proposed Draft. Period to be fixed for assent of *Greece*. Paris, 15th January, 1869 | 827 |
| No. 5. | *Greek* counter-demands against *Turkey*. Opinion of Conference unchanged as to Declaration. Verbal alterations proposed by *English* and *Italian* Plenipotentiaries and adopted. Declaration initialled. Paris, 16th January, 1869 | 832 |

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No. 6. Territorial question raised by *Greek* Government. Conference declares its incompetency. Determination of *Greece* not to join in Conferences, except on terms of equality; but will observe *status quo*. Adhesion of *Turkey* to proposed Declaration. Ultimatum not to be carried out if *Greece* adheres. Signature of Declaration. Paris, 20th January, 1869 835

Annex. Note from President of Conference to *Greek* Minister for Foreign Affairs calling upon *Greece* to adhere to Declaration ..... Paris, 20th January, 1869 839

No. 7. Adhesion of *Greece* to Declaration. Re-establishment of Diplomatic relations between *Turkey* and *Greece*. Security to *Candiot* Families returning to *Crete*. Closing of Conferences..... Paris, 18th February, 1869 841

Annex. *Greek* Minister for Foreign Affairs to the President of the Conferences.... Athens, 6th February, 1869 846

**No. 418.**—*PROTEST of King George of Hanover against the Prussian Decree relating to his Private Property. Vienna, 30th March,* 1869.

(Translation.)

YOUR Majesty, on the Mediation of the Government of Her Majesty the Queen of England, entered into negotiations with me at the commencement of the year 1867, with the object of concluding an Agreement respecting the Property of my House.

Before I consented to this proposal of the English Government, I made a declaration that I would only negotiate respecting the Property of my House, not respecting my Political Right.

Notwithstanding this, however, your Majesty propounded a project which required at its outset an acknowledgment of the Incorporation of my Kingdom with Prussia.

This proposal I declined, and your Majesty thereupon withdrew the demand for the Renunciation of my Crown.

The Ultimatum of your Majesty in the matter of the Property then followed in the beginning of September, 1867.

I accepted the same.

But after the acceptance on my part your Majesty receded from the Ultimatum, and proposed new conditions to me under the pretext of securing the Family Entail of the Joint Houses of Brunswick-Lüneburg.

I consented also to these new conditions, so far that the Agreement was concluded on the 29th September, 1867.

The Agreement is concluded between your Majesty and myself. Neither in the Agreement itself, nor in the preliminary negotiations, is there any word or intimation that the Agreement is dependent on the consent of others. Only from your Majesty and from the Prussian Crown have I to require and demand that your Majesty will be just to the signature of your Name under the Agreement.

I, upon my side, immediately fulfilled this Property Agreement of the 29th September, 1867. Securities to the amount of nearly 19,000,000 thalers, which, on the invasion of my Kingdom by

your Majesty's troops, I saved by sending them to England, I got back and had them delivered over to your Majesty's Agent in November, 1867.

Your Majesty, on the other hand, has not fulfilled the Agreement hitherto, but taken another course.

Your Majesty first, at the commencement of the year 1868, laid the Agreement, concluded without reservation between your Majesty and myself, before the Prussian Landtag.

Your Majesty then yourself declared to the Landtag that your Majesty was not bound to obtain its consent to the Agreement. In spite of this your Majesty sought this assent, and received the same, with a condition very difficult for your Majesty to execute.

The acceptance or refusal of the Agreement by the Prussian Landtag is a matter which as regards me does not alter your Majesty's engagements arising from the Agreement.

Your Majesty then, after the Chambers had but just given their consent to the Agreement respecting the Property, without any alteration, at the same time with the publication of this assent, which, I repeat it, left your obligations toward me intact, issued an Ordinance on the $\frac{2nd}{3rd}$ March, 1868, which laid an embargo on the whole Property of my House.

I entered a Protest against this Ordinance through my Agents in Hanover, but I am not aware if it came to your Majesty's knowledge.

This Ordinance against me rests upon accusations which, even if well founded, could not be brought to bear against me, because the Property Agreement of the 29th September, 1867, places no conditions upon me to which I have acted contrary by the deeds of which I am accused.

But even these accusations are without foundation, and untrue. The Hanoverians who have withdrawn themselves from the Prussian Military Service have done so without my knowledge and without my influence. They first sought shelter in Holland, and afterwards in Switzerland. In both Countries Prussian influence was able to make their residence there impossible. They then went to France, whose hospitable territory gave them the same Protection as to other Political Refugees. These Refugees the Councillors of your Majesty have designated as a "Legion." It is, however, impossible to form in time of peace, on the

territory of another Power, a "Legion" with hostile intentions against a third Power. The Advisers of your Majesty have even spoken with regard to this supposed "Legion" of the rights of defence in case of peril. But how can a number of 700 to 800 unarmed Refugees endanger the safety of a State like Prussia?

It is only so far correct that I have not left these Political Refugees helpless.

The other accusation spoke of invitations on my part to hostilities against the Prussian State. This accusation referred to a speech in which I had spoken of my trust in God and my right, at an entertainment of my family in the circle of my own people and my invited guests. This no one can or shall prevent, and as that was not the first time that I had done so, so also it will not be the last.

The facts upon which the Advisers of your Majesty in the Report of the 2nd March, 1868, found their accusations against me were partly known to your Majesty before the 26th September, 1867. This knowledge did not then prevent your Majesty from concluding the Property Agreement unconditionally and perfecting it by your Ratification. They were partly known to your Majesty before the assent of the Prussian Landtag was given. This information did not deter your Majesty from asking the assent of your Landtag to the Agreement, which assent, I repeat, according to the declaration of your own Advisers, was unnecessary, as far as your Majesty was concerned, and of no account whatever as regards myself.

Nevertheless the Ordinance of the 2nd March, 1868, did not bar the way for your Majesty's recurring according to your own judgment to the fulfilment of the Agreement, which has been fulfilled on my part just as I signed it.

But your Majesty then went further.

Your Majesty has, notwithstanding that your Majesty was not at all bound by the decisions of the Prussian Landtag in the matter of this Agreement, by virtue of a resolution of the same Landtag on the Ordinance of 2nd March, 1868, not only actually closed this way, but your Majesty also wished to have it closed to you.

For the first Adviser of your Majesty spoke to the same effect as those who sought to make the raising of the embargo on my Property dependent on the decree of the Prussian Landtag. But Count Bismarck has for that purpose again appealed to the earlier Accusations, which, I repeat it, even if they were true,

could not be brought into relation with the Property Treaty. He has added fresh untrue accusations, viz., the Anti-Prussian Committee in Heitzing, consisting of 3 or 4 members, and the Committee for Enlisting Poles in Switzerland. Such a Committee has never existed, and just as little has any attempt for such Enlistment taken place.

Count Bismarck has not confined himself to bringing forward these untrue accusations. He has sought to increase their effect by affronts which have provoked the just indignation of Europe.

I will assume that your Majesty has not approved these proceedings of the Premier. But I must express my sorrow that such a disapprobation has not come to my knowledge.

Your Majesty has sanctioned this Bill of the Landtag on the seizure of my Property.

Your Majesty has thereby rendered difficult for yourself the way on which the return to the fulfilment of the engagements undertaken by your Majesty was still possible. For your Majesty has made the fulfilment of the engagements entered into by yourself without any condition, dependent on the will of others.

I therefore now raise a personal solemn Protest with your Majesty yourself, and against the Ordinance of your Majesty of 2nd March, 1868, on the seizure of my Property, as well as against the Law of 15th February, 1869, which makes the repeal of the Ordinance dependent on the consent of the Prussian Landtag.

I concluded the Agreement of 29th September, 1867, respecting the Property with your Majesty alone, with the Prussian Crown, on both sides without any other condition or proviso than is contained in the Agreement itself. From your Majesty only, from the Prussian Crown, do I require and demand the fulfilment of that Agreement, as I have fulfilled it.

I remain,

Your Majesty's faithful Brother and Cousin,

GEORGE REX.

Heitzing, near Vienna,
30th March, 1869.

**No. 419.**—*PROTOCOL OF CONFERENCE between the Representatives of Baden, Bavaria, Hesse-Darmstadt, Prussia, and Wurtemberg, relative to the Joint Moveable Property in the late German Federal Fortresses of Mayence, Ulm, Rastadt, and Landau. Munich, 6th July,* 1869.

ART. TABLE.

1. Joint material of the late Federal Fortresses of *Mentz, Ulm, Rastadt,* and *Landau* to remain the joint property of all the States represented at the present Conference.
2. Joint material of the Fortresses of *Ulm, Rastadt,* and *Landau,* to be managed by the respective Territorial Governments; that of *Mayence* by the *North German Confederation.*
3. Maintenance of Material in quantity and quality.
4. Yearly Inspection of Fortresses.
5. Special Inspection Commission for the Fortresses of *Ulm, Rastadt,* and *Landau;* and for the Fortress of *Mayence.*
6. Objects of the Inspection.
7. Right of Grand Ducal Hesse Government to send a Commissioner to the Inspections.
8. Meeting of Officers after Inspection to discuss Military matters. Inspection Commission to issue special discharge respecting Management and safe custody of the Joint Material in the separate Fortresses. Future Treatment of the Joint Material of Fortresses.
9. South German Fortress Commission to communicate to *Prussian* Military Plenipotentiary result of their transactions.
10. Preservation of Defensive System between *North* and *South Germany.*

**No. 420.**—*TREATY between Austria and the North German Confederation, for the Abolition of the Elbe Dues. Signed at Vienna, 22nd June,* 1870.

ART. TABLE.

1. Exceptional Tolls to be levied on the *Elbe*.
2. Conventions of 4th April, 1863, annulled, and Dues abolished.
3. Ratifications.

(Translation.)

HIS Majesty the Emperor of Austria, &c., King of Bohemia, &c., and Apostolic King of Hungary, &c., on the one side, and His Majesty the King of Prussia, in the name of the North German Confederation, on the other side, led by a desire to promote the Navigation of the Elbe, by abolishing the Elbe Dues existing on the same, have entered into negotiations and have appointed Plenipotentiaries for this purpose;

His Imperial and Royal Apostolic Majesty, the Chancellor of the Empire and Minister of the Imperial House and for Foreign Affairs, Frederick Ferdinand, Count Beust;

His Majesty the King of Prussia, his Ambassador Extraordinary and Minister Plenipotentiary at the Court of His Imperial and Royal Apostolic Majesty, &c., Hans Lothar v. Schweinitz;

Who, after having exchanged their Full Powers found to be in good and due form, have concluded the following Agreement:

*Exceptional Tolls to be Levied on the Elbe.*

ART. I. On and after 1st July, 1870, Tolls shall be levied on the Elbe upon Ships and their Cargoes, and upon Rafts only for use of certain special appliances designed for the facilitation of Traffic.

*Conventions of 4th April,* 1863, *annulled and Dues abolished.*

ART. II. The Conventions of the 4th April, 1863, between Prussia, Austria, Saxony, Hanover, Denmark, Mecklenburg-Schwerin, Anhalt-Dessau-Köthen, Anhalt-Bernburg, Lubeck, and Hamburgh, respecting a readjustment of the Elbe Dues, the regulations imposed by existing Treaties and Compacts, affecting the

Navigation of the Elbe, which were suspended in virtue of Art. XIV of that Convention, and the Compact of the 4th of April, 1863, between Prussia, Austria, Saxony, Anhalt-Dessau-Köthen, Anhalt-Bernburg and Hamburgh, concerning the administration and imposition at Wittenberg of the Elbe Dues held in common, will cease to have force on and after 1st July, 1870.

*Ratifications.**

ART. III. The present Agreement shall be ratified and the Ratifications thereof shall be exchanged at Vienna within 10 days.

Vienna, 22nd June, 1870.

(L.S.) BEUST, m.p. (L.S.) v. SCHWEINITZ, m.p.

* Ratifications exchanged at Vienna, 26th June, 1870.

**No. 421.**—*DECLARATIONS made by France and Prussia to respect the Neutrality of Luxemburg.* 17*th July*, 1870.

*Lord A. Loftus to Earl Granville.*

My Lord, *Berlin*, 17*th July*, 1870.

Baron Thile informed me to-day that he had received a telegram from M. Föhr, the Representative of the Grand Duchy of Luxemburg at this Court, stating that the French Government had officially notified their intention to respect the Neutrality of the Grand Duchy, provided that it was likewise respected by Prussia.

His Excellency, by order of Count Bismarck, immediately replied that the North German Government would also respect the Neutrality of the Grand Duchy as long as it was respected by France.*

I have, &c.,

AUGUSTUS LOFTUS.

* See also Prussian Circular, of 3rd December, 1870, and Note, page 1903.

**No. 422.**—*NOTE of the Swiss Government to Foreign Powers, declaring its Neutrality in the War between France and Prussia. Berne, 18th July, 1870.*

(Translation as laid before Parliament.)

*Berne, 18th July, 1870.*

THE Treaties of 1815 Guarantee to Switzerland her perpetual Neutrality and the Inviolability of her Territory (**No. 43**). They also Guarantee the same Neutrality to certain Countries which formerly formed an integral part of the Kingdom of Sardinia (**No. 40**), but at present are in the possession of France in consequence of the Treaty of Turin of 24th March, 1860 (**No. 313**).

The hope having vanished of a pacific solution of the quarrel which has taken place between France and Prussia with respect to the Spanish Throne, and these two States having appealed to Arms, the Swiss Confederation has considered it their duty to explain at once and with the greatest freedom the position they intend taking to provide for certain eventualities.

The Federal Council declares, consequently, by virtue of a special power unanimously conferred by the Federal Assembly, that Switzerland will maintain and defend, during the War which is preparing, her Neutrality and the Integrity of her Territory by all the means in her power. She will loyally maintain towards all this position, which is dictated to her by European Treaties, and which agrees as well with her present condition as with her own requirements; but if, contrary to every expectation, violence was offered to that Neutrality, she would energetically repulse every aggression, convinced as she would be of the justice of her cause. With reference to the parts of Savoy which, according to the terms of the Declaration of the Great Powers of 29th March 1815 (**No. 10**), of the Final Act of Vienna, 9th June, 1815 (**No. 27**), of the Treaty of Paris, 20th November, 1815 (**No. 40**), Article III, and of the Act recognising and guaranteeing Swiss Neutrality, bearing the same date (**No. 43**), are to enjoy a Neutrality similar to that of Switzerland, an arrangement which France and Sardinia have confirmed by Article II of the Treaty of Turin, cited above, of the 24th March, 1860 (**No. 313**), the

Federal Council thinks fit to recall to mind that Switzerland has the right to occupy that Territory.

The Federal Council would employ that right if circumstances seemed to require its exercise for the defence of Swiss Neutrality and of the Integrity of the Territory of the Confederation; in every case it will scrupulously respect the restrictions which Treaties lay on the exercise of the right in question, and will come to an arrangement to that effect with the French Imperial Government.

The Federal Council expresses the hope that these frank explanations of the position which Switzerland will take in presence of the events which are preparing will be received with goodwill, both by the Belligerent States and by the other Great Powers, which guaranteed the Treaties of Vienna; and that they will convince them that Switzerland, in the dispositions she will take, intends placing herself in the position which the existing Treaties assign her.

With this hope he takes, &c.,

In the name of the Swiss Federal Council,

THE PRESIDENT OF THE CONFEDERATION,

THE CHANCELLOR OF THE CONFEDERATION.

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[On the 29th July, 1870, Mr. Bonar, Her Majesty's Minister at Berne, reported that the Duc de Gramont, in his reply to this communication, "had not rejected nor even contested the right so claimed by Switzerland, but had confined himself to declaring that, under the eventualities referred to, it would have to be made the subject of special arrangement between the two Governments."]

**No. 423.**—*FRENCH ANNOUNCEMENT to the Prussian Government of the Causes of War with Prussia. Paris, 19th July*, 1870.

(Translation as laid before Parliament.)

*Berlin, 19th July*, 1870.

THE Undersigned, French Chargé d'Affaires, in pursuance of instructions received from his Government, has the honour to make to his Excellency the Minister for Foreign Affairs of His Majesty the King of Prussia the following communication:—

The Government of His Majesty the Emperor of the French, being unable to consider the proposal to raise a Prussian Prince to the Throne of Spain* otherwise than as an attempt against the Territorial security of France, was compelled to ask the King of Prussia for an assurance that such an arrangement could not be carried out with his consent.

His Majesty the King of Prussia having refused to give this assurance, and having, on the contrary, given the Ambassador of His Majesty the Emperor of the French to understand that he intended to reserve for this eventuality, and for every other, the power of acting according to circumstances, the Imperial Government could not but see in the King's declaration a reservation threatening to France and to the general Balance of Power in Europe. This Declaration was further aggravated by the notification made to the Cabinets of the refusal to receive the Emperor's Ambassador and to enter into any new explanation with him.

The Government of His Imperial Majesty has consequently thought itself obliged to provide immediately for the defence of its honour and its compromised interests; and being resolved to take for this purpose all the measures enjoined by the position in which it has been placed, considers itself from henceforth in a state of War with Prussia.

The Undersigned, &c. LE SOURD.

*Count Bismarck.*

* Prince Leopold of Hohenzollern-Sigmaringen.

**No. 424.**—*SPEECH of the King of Prussia at the Opening of the North German Reichstag. War with France. Berlin, 19th July*, 1870.

(Translation as laid before Parliament.)

Honourable Gentlemen of the Reichstag of the North German Confederation!

On welcoming you, in the name of the Confederate Governments* on your last assembling in this place, I was in a position to declare, with joyful thankfulness, that my sincere efforts to meet the wishes of the people and the requirements of civilisation by preventing any breach of the Peace, had, by God's help, not been unsuccessful.

If, notwithstanding this, the menace and danger of War have imposed on the Confederate Governments the duty of summoning you to an Extraordinary Session, you as well as ourselves will have the lively convictions that the North German Confederation were endeavouring to develop the National Strength of the German people not to endanger but to become a strong support of the general Peace; and that if we call upon these popular energies now to defend our independence, we are only following the dictates of honour and duty.

The candidature of a German Prince to the Spanish Throne,† whose proposal and withdrawal of whom the Confederation Governments were equally strangers, and was only so far of interest to the North German Confederation, that the Government of that friendly nation seemed to build upon it the hope of finding therein the guarantee for the orderly and peaceful Government of a Country which had undergone many trials, has afforded a pretext to the Government of the Emperor of the French to put forward the *casus belli* in a manner long unknown in diplomatic intercourse, and in spite of the removal of this pretext, to adhere to it with that disregard of the rights of the people to the blessings of Peace, of which history furnishes analogous examples in the case of former Rulers of France.

If Germany in past centuries has silently borne with such outrages upon her rights and honour, she did so because in her

* See note p. 1885. † Prince Leopold of Hohenzollern-Sigmaringen.

disunion she knew not how strong she was. To-day, when the bands of intellectual and just unity, which the Wars of freedom began to draw together, binds the German Races indeed closer, and therefore more intimately: to-day, when the Armaments of Germany no longer leave an opening to the Enemy, Germany possesses in herself the will and the power to repulse renewed acts of French violence.

This language is dictated by no boasting spirit, the Confederate Governments and myself act in the full assurance that victory and defeat rest with the Ruler of Battles. We have weighed with a steadfast gaze the responsibility which awaits, before the Judgment Seat of God and of man, him who forces two great and Peace-loving peoples in the heart of Europe into a devastating War. The German, as well as the French people, both of them equally enjoying and desiring the blessings of Christian civilisation and increasing prosperity, should be destined to a more holy contest than the bloody one of arms. Yet the Governing Power of France have known how to work on the well-balanced but susceptible feelings of our great neighbouring people by calculated misrepresentation for Personal Interests and Passions.

The more Confederated Governments have felt that they have done all which honour and dignity permit to maintain for Europe the blessings of Peace; and the clearer it appears to all eyes that the Sword has been forced into our hand, with greater confidence we turn, supported by the unanimous will of the German Government of the South, as well as of the North, to the love of the Fatherland and willingness for sacrifice of the German people to the summons to protect her Honour and Independence.

We will, after the examples of our Father, do battle for our Freedom and our Right against the violence of a Foreign Conqueror; and in this struggle, in which we have no good but the attainment of lasting Peace for Europe, God will be with us as He was with our Fathers.

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[The British Government proclaimed its Neutrality in this War on the 19th July, 1870. See also note p. 1883.]

**No. 425.**—*DECLARATION made to the French Senate and to the Corps Législatif, announcing the existence of a State of War between France and Prussia. Paris, 20th July,* 1870.

(Translation as laid before Parliament.)

MESSIEURS,—The statement made to you at the sitting of the 15th* has made known to the Senate and the Corps Législatif the just causes of the War against Prussia.

According to usage and by order of the Emperor, I have invited the Chargé d'Affaires of France to notify to the Cabinet of Berlin our resolution to seek by Arms the guarantees we have failed in obtaining by discussion. This step has been taken, and I have the honour to announce to the Senate and the Corps Législatif that in consequence a state of War exists from the 19th July between France and Prussia. This Declaration applies equally to the Allies of Prussia who may afford her armed assistance against us.

[The Neutral European Powers (Great Britain, Austria, Belgium, Denmark, Italy, Russia, Sweden, Switzerland, and Turkey) agreed among themselves that they would not depart from their Neutrality during the War without having previously communicated their ideas to each other.]

* Speech delivered by the Duc de Gramont to the Senate, and by M. Ollivier to the Corps Législatif, respecting the differences with Prussia.

**No. 426.**—*PROCLAMATION of the Emperor to the French People, relative to the War with Prussia. Paris, 22nd July, 1870.*

(Translation as laid before Parliament.)

Frenchmen,

THERE are solemn moments in the life of peoples, when the national sense of honour, violently excited, imposes itself with irresistible force, dominates all interests, and alone takes in hand the direction of the destinies of the country. One of these decisive hours has sounded for France.

Prussia, towards whom both during and since the War of 1866 we have shown the most conciliatory disposition, has taken no account of our good wishes and our enduring forbearance. Launched on the path of invasion, she has provoked mistrust everywhere, necessitated exaggerated armaments, and has turned Europe into a camp, where reigns nothing but uncertainty and fear of the morrow.

A last incident has come to show the instability of international relations, and to prove the gravity of the situation. In presence of the new pretensions of Prussia we made known our protests. They were evaded, and were followed on the part of Prussia by contemptuous acts. Our country resented this treatment with profound irritation, and immediately a cry for War resounded from one end of France to the other. It only remains to us to leave our destinies to the decision of arms.

We do not make War on Germany, whose independence we respect. We wish that the peoples who compose the great German nationality may freely dispose of their destinies.

For ourselves, we demand the establishment of a state of affairs which shall guarantee our security and assure our future. We wish to conquer a lasting Peace, based on the true interests of peoples, and to put an end to that precarious state in which all nations employ their resources to arm themselves one against the other.

The glorious Flag which we once more unfurl before those who have provoked us is the same which bore throughout Europe

the civilising ideas of our great Revolution. It represents the same principles and will inspire the same devotion.

Frenchmen,

I am about to place myself at the head of that valiant Army which is animated by love of duty and of Country. It knows its own worth, since it has seen how victory has accompanied its march in the four quarters of the world.

I take with me my Son, despite his youth. He knows what are the duties which his name imposes upon him, and he is proud to bear his share in the dangers of those who fight for their Country.

May God bless our efforts! A great people which defends a just cause is invincible.

NAPOLEON.

[The Allies of Prussia in this War were Baden, Bavaria, and Wurtemberg. See Note, page 1828.]

## No. 427.—*TREATY between Great Britain and Prussia, relative to the Independence and Neutrality of Belgium. Signed at London, 9th August,* 1870.*

ART. TABLE.

Preamble. Reference to Treaties of 19th April, 1839.
1. Co-operation of *Great Britain* with *Prussia* in case of violation of Neutrality of *Belgium* by *France*. *Great Britain* not engaged to take part in War between *North German Confederation* and *France*, except as regards violation of *Belgian* Neutrality.
2. Co-operation of *Prussia* with *Great Britain* in case of violation of Neutrality of *Belgium* by *France*.
3. Treaty to be binding until conclusion of a Treaty of Peace between *France* and *Prussia*.
4. Ratifications.

(English Version.)

*Reference to Treaties of 19th April,* 1839.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Prussia, being desirous at the present time of recording in a solemn Act their fixed determination to maintain the Independence and Neutrality of Belgium, as provided in Article VII of the Treaty signed at London on the 19th April, 1839 (**No. 184**), between Belgium and the Netherlands, which Article was declared by the Quintuple Treaty of 1839 (**No. 183**) to be considered as having the same force and value as if textually inserted in the said Quintuple Treaty, their said Majesties have determined to conclude between themselves a separate Treaty, which, without impairing or invalidating the conditions of the said Quintuple Treaty, shall be subsidiary and accessory to it; and they have accordingly named as their Plenipotentiaries for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Granville George Earl Granville, Lord Leveson, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the King of Prussia, his Excellency the Minister of State, Albert Count of Bernstorff-Stintenburg, Ambas-

* See also Treaty between Great Britain and France of 11th August, 1870.

sador Extraordinary and Plenipotentiary to Her Britannic Majesty from His said Majesty for the North German Confederation, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

*Co-operation of Great Britain with Prussia in case of violation of Neutrality of Belgium by France.*

ART. I. His Majesty the King of Prussia having declared that notwithstanding the Hostilities in which the North German Confederation is engaged with France, it is his fixed determination to respect the Neutrality of Belgium, so long as the same shall be respected by France, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland on her part declares that, if during the said Hostilities the Armies of France should violate that Neutrality, she will be prepared to co-operate with His Prussian Majesty for the defence of the same in such manner as may be mutually agreed upon, employing for that purpose her Naval and Military Forces to insure its observance, and to maintain, in conjunction with His Prussian Majesty, then and thereafter, the Independence and Neutrality of Belgium.

*Great Britain not engaged to take part in War between North German Confederation and France, except as regards Violation of Belgian Neutrality.*

It is clearly understood that Her Majesty the Queen of the United Kingdom of Great Britain and Ireland does not engage herself by this Treaty to take part in any of the general operations of the War now carried on between the North German Confederation and France, beyond the Limits of Belgium, as defined in the Treaty between Belgium and the Netherlands of 19th April, 1839 (**No. 184**).

*Co-operation of Prussia with Great Britain in case of Violation of Neutrality of Belgium by France.*

ART. II. His Majesty the King of Prussia agrees on his part, in the event provided for in the foregoing Article, to co-operate with Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, employing his Naval and Military Forces for the purpose aforesaid; and, the case arising, to concert with Her

Majesty the measures which shall be taken, separately or in common, to secure the Neutrality and Independence of Belgium.

*Treaty to be binding until conclusion of a Treaty of Peace between France and Prussia.*

ART. III. This Treaty shall be binding on the High Contracting Parties during the continuance of the present War between the North German Confederation and France, and for 12 months after the Ratification of any Treaty of Peace* concluded between those Parties; and on the expiration of that time the Independence and Neutrality of Belgium will, so far as the High Contracting Parties are respectively concerned, continue to rest as heretofore on Article I of the Quintuple Treaty of the 19th April, 1839 (**No. 183**).

*Ratifications.*†

ART. IV. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 9th day of August, in the year of Our Lord, 1870.

(L.S.) GRANVILLE.
(L.S.) BERNSTORFF.

* A Preliminary Treaty of Peace was concluded and signed at Versailles on the 26th February, 1871, and on the 16th March a further Convention was concluded for ensuring the execution of the Preliminaries of Peace, and the Ratifications of the latter Convention were exchanged at Rouen on the 1st April, 1871. The Definitive Treaty of Peace was concluded on the 10th May, 1871, and the Ratifications were exchanged on the 20th May following.

† Ratifications exchanged at London, 26th August, 1870.

## No. 428.—*TREATY between Great Britain and France, relative to the Independence and Neutrality of Belgium. Signed at London, 11th August, 1870.**

ART. TABLE.

Preamble. Reference to Treaties of 19th April, 1839.
1. Co-operation of *Great Britain* with *France* in case of violation of Neutrality of *Belgium* by *Prussia*. *Great Britain* not engaged to take part in War between *France* and *North German Confederation*, except as regards violation of *Belgian* Neutrality.
2. Co-operation of *France* with *Great Britain* in case of violation of Neutrality of *Belgium* by *Prussia*.
3. Treaty to be binding until conclusion of a Trenty of Peace between *France* and *Prussia*.
4. Ratifications.

(English Version.)

*Reference to Treaties of 19th April, 1839.*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of the French, being desirous at the present time of recording in a solemn Act their fixed determination to maintain the Independence and Neutrality of Belgium, as provided by Article VII of the Treaty signed at London on the 19th April, 1839 (**No. 184**), between Belgium and the Netherlands, which Article was declared by the Quintuple Treaty of 1839 (**No. 183**) to be considered as having the same force and value as if textually inserted in the said Quintuple Treaty, their said Majesties have determined to conclude between themselves a Separate Treaty, which, without impairing or invalidating the conditions of the said Quintuple Treaty, shall be subsidiary and accessory to it; and they have accordingly named as their Plenipotentiaries for that purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Granville George Earl Granville, Lord Leveson, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Majesty the Emperor of the French, his Excellency

* See also Treaty between Great Britain and Prussia of 9th August, 1870.

the Marquis de La Valette, his Ambassador to Her Britannic Majesty, &c.;

Who, after having communicated to each other their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:

*Co-operation of Great Britain with France in case of Violation of Neutrality of Belgium by Prussia.*

ART. I. His Majesty the Emperor of the French having declared that, notwithstanding the Hostilities in which France is now engaged with the North German Confederation and its Allies, it is his fixed determination to respect the Neutrality of Belgium, so long as the same shall be respected by the North German Confederation and its Allies, Her Majesty the Queen of the United Kingdom of Great Britain and Ireland on her part declares that, if during the said Hostilities the Armies of the North German Confederation and its Allies should violate that Neutrality, she will be prepared to co-operate with His Imperial Majesty for the defence of the same in such manner as may be mutually agreed upon, employing for that purpose her Naval and Military Forces to insure its observance, and to maintain, in conjunction with His Imperial Majesty, then and thereafter, the Independence and Neutrality of Belgium.

*Great Britain not engaged to take part in War between France and North German Confederation, except as regards Violation of Belgian Neutrality.*

It is clearly understood that Her Majesty the Queen of the United Kingdom of Great Britain and Ireland does not engage herself by this Treaty to take part in any of the general operations of the War now carried on between France and the North German Confederation and its Allies, beyond the Limits of Belgium as defined in the Treaty between Belgium and the Netherlands of 19th April, 1839 (**No. 184**).

*Co-operation of France with Great Britain in case of Violation of Neutrality of Belgium by Prussia.*

ART. II. His Majesty the Emperor of the French agrees on his part, in the event provided for in the foregoing Article, to co-

operate with Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, employing his Naval and Military Forces for the purpose aforesaid; and, the case arising, to concert with Her Majesty the measures which shall be taken, separately or in common, to secure the Neutrality and Independence of Belgium.

*Treaty to be Binding until conclusion of a Treaty of Peace between France and Prussia.*

ART. III. This Treaty shall be binding on the High Contracting Parties during the continuance of the present War between France and the North German Confederation and its Allies, and for 12 months after the Ratification of any Treaty of Peace* concluded between those Parties; and on the expiration of that time the Independence and Neutrality of Belgium will, so far as the High Contracting Parties are respectively concerned, continue to rest, as heretofore, on Article I of the Quintuple Treaty of the 19th April, 1839 (**No. 183**).

*Ratifications.*†

ART. IV. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 11th of August, 1870.

(L.S.) GRANVILLE.
(L.S.) LA VALETTE.

* A Preliminary Treaty of Peace was concluded and signed at Versailles on the 26th February, 1871, and on the 16th of March a further Convention was concluded for ensuring the execution of the Preliminaries of Peace, and the Ratifications of the latter Convention were exchanged at Rouen on the 1st April, 1871. The Definitive Treaty of Peace was concluded on the 10th May, 1871, and the Ratifications were exchanged on the 20th May following.

† Ratifications exchanged at London, 26th August, 1870.

**No. 429.**—*RUSSIAN NOTE denouncing the Stipulations of the General Treaty of 30th March, 1856, and the Separate Convention with Turkey of the same date, relative to the Limitation of their Naval Forces in the Black Sea. 31st October, 1870.**

*Prince Gortchakoff to Baron Brunnow.* (*Communicated to Earl Granville by Baron Brunnow, 9th November*, 1870.)

(Translation as laid before Parliament.)

M. le Baron, *Tzarskoé Sélo*, $\frac{19th}{31st}$ *October*, 1870.

THE successive alterations which the transactions considered as the foundation of the European Balance of Power have undergone during late years, have rendered it necessary for the Imperial Cabinet to inquire how far their results affect the political position of Russia.

Among these transactions, that which interests Russia most directly is the Treaty of $\frac{18}{30}$th March, 1856 (**No. 264**).

The special Convention between the two States bordering on the Black Sea, which forms an Appendix to this Treaty (**No. 266**), contains an engagement on the part of Russia to limit her Naval Forces to a minimum.

In return this Treaty established the principle of the Neutralisation of that Sea.

By laying down this principle the signatory Powers intended to remove any possibility of a conflict between the Powers bordering on the Black Sea, or between them and the Maritime Powers. It was intended to increase the number of the Territories which have been accorded the benefit of Neutrality by the unanimous consent of Europe, and thus protect Russia herself from all danger of attack.

A 15 years' experience has proved that this principle, on which the safety of the whole extent of the Russian Frontiers in this direction exclusively depends, is no more than a theory.

In reality, while Russia was disarming in the Black Sea, and, by a Declaration contained in the Protocols of the Conference, likewise loyally deprived herself of the possibility of taking measures for an effectual Maritime Defence in the adjoining Seas and Ports, Turkey preserved her privilege of maintaining unlimited Naval Forces in the Archipelago and the Straits; France and

* A similar Note was addressed to the other Powers Parties to the Treaty of Paris of 30th March, 1856. See also further Note, of 1st November, 1870, and Declaration, of 17th January, 1871.

England preserved their power of concentrating their squadrons in the Mediterranean.

Again, under the Treaty in question, the entry of the Black Sea formally and in perpetuity interdicted to the Flag of War either of the Powers possessing its Coasts or of any other Power; but the so-called Straits Treaty closes the Straits only in time of Peace to men-of-war. Owing to this contradiction, the shores of the Russian Empire are exposed to attack even from less powerful States whenever they have Naval Forces at their disposal, while all that Russia could oppose to them would be some ships of small size.

The Treaty of $\frac{18}{30}$th March, 1856 (**No. 264**), has, moreover, not escaped the modifications to which most European transactions have been exposed, and in the face of which it would be difficult to maintain that the written Law, founded upon the respect for Treaties as the basis of Public Right and regulating the relations between States, retains the moral validity which it may have possessed at other times.

We have witnessed the Principalities of Moldavia and Wallachia, whose position had, under the guarantee of the Great Powers, been defined in the Treaty of Peace and the subsequent Protocols, accomplish a series of revolutions which are equally at variance with the letter and spirit of these transactions, and which first led to the Union, and subsequently to the election of a Foreign Prince (**Nos. 286, 300, 334, 363, 364, 375, 399, 404**). These facts have obtained the sanction of the Porte and the consent of the Great Powers,—or, at any rate, the latter have not thought it necessary to enforce their decisions.

The Representative of Russia was the only one who raised his voice to remind the Cabinets that by this tolerance they would be departing from the distinct stipulations of the Treaty.*

No doubt, if these concessions to one of the Christian Nationalities of the East had proceeded from a general agreement between the Cabinets and the Porte, and if they had been based upon a principle alike applicable to all the Christian populations of Turkey, they would have been applauded by the Imperial Cabinet; but they were exclusive.

The Imperial Cabinet, therefore, could not but be surprised at seeing the Treaty of $\frac{18}{30}$th March, 1856 (**No. 264**), violated with impunity in one of its most essential clauses, but a few years after

* On the 2nd May, 1866, the Plenipotentiaries assembled in Conference at Paris addressed a Declaration to the Provisional Government at Bûcharest informing them that they could only elect a native as their Prince.

its conclusion, and this in face of the Great Powers assembled in Conference at Paris, and representing together the high collective authority on which rested the Peace of the East.

But this infraction was not the only one. Repeatedly, and under various pretexts, Foreign Men-of-War have been suffered to enter the Straits, and whole Squadrons, whose presence was an infraction of the character of absolute Neutrality attributed to those waters, admitted to the Black Sea.*

While the pledges offered by the Treaty, and more especially the Guarantees for the effective Neutralisation of the Black Sea, were thus being weakened, the introduction of ironclad vessels, unknown and unforeseen at the conclusion of the Treaty of 1856, increased the danger for Russia in the event of War, by adding considerably to the already patent inequality of the respective Naval Forces.

Under these circumstances, His Majesty could not but ask himself what are the Rights and Duties accruing to Russia from these modifications of the general situation and the departures from the engagements which, although conceived in a spirit of distrust towards herself, she has invariably and scrupulously observed.

After maturely considering this question, His Imperial Majesty has arrived at the following conclusions, which you are instructed to bring to the knowledge of the Government to which you are accredited:—

Our illustrious Master cannot admit, *de jure*, that Treaties, violated in several of their essential and general clauses, should remain binding in other clauses directly affecting the interests of his Empire.†

His Imperial Majesty cannot admit, *de facto*, that the security of Russia should depend on a fiction which has not stood the test of time, and should be imperilled by her respect for engagements which have not been observed in their integrity.

Confiding in the feelings of justice of the Powers who have signed the Treaty of 1856, as well as in their consciousness of their own dignity, the Emperor commands you to declare that His Imperial Majesty cannot any longer hold himself bound by the stipulations of the Treaty of $\frac{18}{30}$th March, 1856 (**No. 264**), as far as they restrict his Sovereign Rights in the Black Sea;

That His Imperial Majesty deems himself both entitled and

* See Note, next page.

† See Declaration of 17th January, 1871, and Note, page 1899.

obliged to denounce to His Majesty the Sultan the Special and Additional Convention (**No. 266**) appended to the said Treaty, which fixes the number and size of the Vessels of War which the two Powers bordering on the Black Sea shall keep in that Sea;

That His Majesty loyally informs of this the Powers who have signed and guaranteed the General Treaty, of which the Convention in question forms an integral part;

That His Majesty restores to the Sultan the full exercise of his rights in this respect, resuming the same for himself;

In acquitting yourself of this duty, you will take care to point out that our illustrious Master has only the safety and dignity of his Empire in view. His Imperial Majesty has no wish to revive the Eastern Question. On this point, as on all others, he has no wish but the preservation and consolidation of Peace. He fully adheres to his consent to the general principles of the Treaty of 1856, which have fixed the position of Turkey in the European system (**No. 264**). He is ready to enter into an understanding with the Powers who have signed that transaction, for the purpose either of confirming its general stipulations, or of renewing them, or of replacing them by some other equitable arrangement, which may be considered as calculated to secure the tranquillity of the East, and the Balance of Power in Europe.

His Imperial Majesty is convinced that that Peace and that Balance of Power will receive a fresh Guarantee if they are based upon a more just and solid foundation than one resulting from a state of things which no Great Power can accept as a normal condition of its existence.

You are requested to read this despatch to the Minister of Foreign Affairs, and leave him a copy.

I avail, &c.,

GORTCHAKOFF.

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[In 1871 a Return was laid before Parliament showing the number of Foreign Ships of War (except light Vessels to be stationed at the mouths of the Danube, Russian and Turkish Vessels intended to form the Black Sea Fleets, and Vessels for Service of Foreign Legations, sanctioned by Treaty) which had been allowed to pass through the Dardanelles and Bosphorus since the conclusion of the Treaty of Peace with Russia on the 30th March, 1856, from which it appeared that in 1862, 1 British; in 1866, 1 American; in 1868, 2 American, 2 Austrian, 1 French, and 1 Russian; and in 1869, 1 Prussian Ship of War had been allowed to pass through the Straits.

It also appeared that in 7 other instances, questions had arisen with regard to the passage of Foreign Ships of War through the Straits, but that in no case had a violation of Treaty been shown to have taken place.]

**No. 430.**—*FURTHER RUSSIAN NOTE denouncing the Stipulations of the General Treaty of 30th March, 1856, and the Separate Convention with Turkey of the same date, relative to the Limitation of their Naval Forces in the Black Sea. 1st November, 1870.**

*Prince Gortchakoff to Baron Brunnow.*

(Translation as laid before Parliament.)

M. le Baron, *Tzarskoé Sélo, 20th October, 1st November,* 1870.

In making the communication to the Principal Secretary of State of Her Britannic Majesty, according to the orders of His Majesty the Emperor, you will take care to make its sense and bearing well understood.

When, at the commencement of 1866, there was a question of Conferences between the 3 Powers, with a view to prevent the War then imminent in Germany by the Assembly of a Congress (**No. 377**), in discussing the bases of such Conferences with Earl Russell, you had the opportunity of pointing out to him the compensations and the guarantees of security which the occurrence of certain eventualities calculated to modify the *status quo* existing in the East would necessitate for Russia.

Lord Russell admitted this with perfect equity. He in no way disputed that any alteration made in the text and the spirit of the Treaty of 1856 (**No. 264**), must lead to the revision of that Act.

Although those eventualities have not occurred, Lord Granville will not contest the fact that at the present time this Treaty has undergone serious modifications in one of its essential parts.

That which must impress Russia in respect of these modifications is not the appearance of factitious hostility towards her by which they are characterised, nor is it the consequences which may ensue to a Great Country from the creation upon its Frontiers of a small *quasi* Independent State; it is chiefly the facility with which, scarcely 10 years after its conclusion, a solemn Arrangement, clothed with an European Guarantee, has been infringed both in letter and in spirit, under the very eyes of the Powers who should have been its guardians.

With such a precedent before us, what value can Russia attach to the efficacy of that Arrangement, and to the pledge of

* See notes pages 1894, 1895.

security which she believed she had obtained in the principle of the Neutralisation of the Black Sea. The Balance of Power established in the East by the Treaty of 1856, has, therefore been disturbed to the detriment of Russia. The resolution adopted by our August Master has no other object than to restore it.

The Government of Her Britannic Majesty would never consent to leave the security of their shores to the mercy of an Arrangement which is no longer respected. They are too equitable not to allow to us the same duties and the same rights.

But what we especially desire to establish is, that this decision implies no change in the policy which His Majesty the Emperor has pursued in the East.

You have already had, on many occasions opportunities of discussing with the Cabinet of London the general views which the two Governments hold upon this important question. You have been able to establish a conformity of principles and interests, which we have learnt with great satisfaction.

We have drawn from it the conclusion that at present it is neither from England nor Russia that can arise the dangers which may menace the Ottoman Empire; that the two Cabinets have an equal desire to maintain its existence as long as possible by allaying and by conciliating the differences between the Porte and the Christian subjects of the Sultan, and that, in the event of a decisive crisis presenting itself, despite these efforts, both are equally resolved to seek for its solution in a general agreement of the Great European Powers.

We have not ceased to hold these views. We believe that their perfect analogy renders possible a thorough understanding between the Government of Her Britannic Majesty and ourselves, we attach the greatest value to it, as the best guarantee for the preservation of Peace and the Balance of Power in Europe from dangers which may result from complications in the East.

By the order of His Majesty the Emperor, your Excellency is authorised to repeat this assurance to Lord Granville. We shall sincerely congratulate ourselves if the frankness of these explanations may contribute to that end by removing every possibility of misunderstanding between the Government of Her Britannic Majesty and ourselves.

Receive, &c.,
GORTCHAKOFF.

[For British Reply, see p. 1898.]

**No. 431.**—*BRITISH REPLY to Russian Notes, denouncing the Stipulations of the General Treaty of 30th March, 1856, and the Separate Convention with Turkey of the same date, relative to the Limitation of their Naval Forces in the Black Sea. 10th November*, 1870.

*Earl Granville to Sir A. Buchanan.*

Sir, *Foreign Office*, 10*th November*, 1870.

Baron Brunnow made to me yesterday the communication respecting the Convention between the Emperor of Russia and the Sultan limiting their Naval Forces in the Black Sea, signed at Paris on the 30th March, 1856 (**No. 266**), to which you allude in your telegram of yesterday afternoon.

In my despatch of yesterday I gave you an account of what passed between us, and I now propose to observe upon Prince Gortchakoff's despatches of the $\frac{19th}{31st}$ October (**No. 429**) and $\frac{20th\ October}{1st\ November}$ (**No. 430**), communicated to me by the Russian Ambassador on that occasion.

Prince Gortchakoff declares, on the part of His Imperial Majesty, that the Treaty of 1856 has been infringed in various respects to the prejudice of Russia, and more especially in the case of the Principalities, against the explicit protest of his Representative, and that, in consequence of these infractions, Russia is entitled to renounce those stipulations of the Treaty which directly touch her interests.

It is then announced that she will no longer be bound by the Treaties which restrict her Rights of Sovereignty in the Black Sea.

We have here an allegation that certain facts have occurred which, in the judgment of Russia, are at variance with certain stipulations of the Treaty, and the assumption is made that Russia, upon the strength of her own judgment as to the character of those facts, is entitled to release herself from certain other stipulations of that instrument.

This assumption is limited in its practical application, to some of the provisions of the Treaty, but the assumption of a right to renounce any one of its terms involves the assumption of a right to renounce the whole.

This statement is wholly independent of the reasonableness or

unreasonableness, on its own merits, of the desire of Russia to be released from the observation of the stipulations of the Treaty of 1856 respecting the Black Sea.

For the question is, in whose hand lies the power of releasing one or more of the parties from all or any of these stipulations?

It has always been held that that right belongs only to the Governments who have been parties to the original instrument.*

The despatches of Prince Gortchakoff appear to assume that any one of the Powers who have signed the engagement may allege that occurrences have taken place which, in its opinion, are at variance with the provisions of the Treaty, and, although this view is not shared nor admitted by the co-signatory Powers, may found upon that allegation, not a request to those Governments for the consideration of the case, but an announcement to them that it has emancipated itself, or holds itself emancipated, from any stipulations of the Treaty which it thinks fit to disapprove. Yet it is quite evident that the effect of such doctrine, and of any proceeding which, with or without avowal, is founded upon it, is to bring the entire authority and efficacy of Treaties under the discretionary control of each one of the Powers who may have signed them; the result of which would be the entire destruction of Treaties in their essence. For whereas their whole object is to bind Powers to one another, and for this purpose each one of the parties surrenders a portion of its free agency, by the doctrine and proceeding now in question, one of the parties in its separate and individual capacity brings back the entire subject into its own control, and remains bound only to itself.

Accordingly Prince Gortchakoff has announced in these despatches the intention of Russia to continue to observe certain of the provisions of the Treaty. However satisfactory this may be in itself, it is obviously an expression of the free will of that Power which it might at any time alter or withdraw; and in this it is thus open to the same objections as the other portions of the communications, because it implies the Right of Russia to Annul the Treaty on the ground of allegations of which she constitutes herself the only judge.

The question therefore arises, not whether any desire expressed

* See Declaration of 17th January, 1871. See also opinion of British Government of 23rd November, 1846, and Declaration of Russia and Turkey of 4th June, 1866, in Appendix.

by Russia ought to be carefully examined in a friendly spirit by the co-signatory Powers, but whether they are to accept from her the announcement that, by her own act, without any consent from them, she has released herself from a solemn covenant.

I need scarcely say that Her Majesty's Government have received this communication with deep regret, because it opens a discussion which might unsettle the cordial understanding it has been their earnest endeavour to maintain with the Russian Empire; and, for the above-mentioned reasons, it is impossible for Her Majesty's Government to give any sanction on their part to the course announced by Prince Gortchakoff.

If, instead of such a declaration, the Russian Government had addressed Her Majesty's Government and the other Powers who are parties to the Treaty of 1856, and had proposed for consideration with them whether anything has occurred which could be held to amount to an infraction of the Treaty, or whether there is anything in the terms which, from altered circumstances, presses with undue severity upon Russia, or which, in the course of events, had become unnecessary for the due protection of Turkey, Her Majesty's Government would not have refused to examine the question in concert with the co-signataries to the Treaty. Whatever might have been the result of such communications, a risk of future complications and a very dangerous precedent as to the validity of international obligations would have been avoided.

I am, &c.,
GRANVILLE.

P.S.—You will read and give a copy of this despatch to Prince Gortchakoff.

G.

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On the 22nd November, 1870, the Prussian Government proposed the meeting of a Conference at St. Petersburgh to discuss the Black Sea question; the British Government objected to this proposal, but expresssed its readiness to meet Plenipotentiaries of the Treaty Powers in Conference either at Vienna, Florence, or London. London having been ultimately agreed upon as the place of meeting, Conferences were held at the Foreign Office, and a Treaty modifying the stipulations of the Treaty of 30th March, 1856, relating to the Black Sea, was signed on the 13th March, 1871.

**No. 432.**—*PRUSSIAN CIRCULAR respecting the Alleged Violation of the Neutrality of the Grand Duchy of Luxemburg, during the War between Prussia, &c., and France. 3rd December*, 1870.

(Translation as laid before Parliament.)

*Count Bismarck to Count Bernstorff.*

*Versailles, 3rd December*, 1870.

AT the outbreak of the War the Government of His Majesty the King declared that it would respect the Neutrality of the Grand Duchy of Luxemburg (**No. 421**), on the presumption that it would also be respected on the part of the French, and, as a matter of course, would be maintained with earnestness and good will by the Grand Duchy itself.

The Royal Government has faithfully observed that promise, and has gone so far in its consideration that it has subjected itself to all the inconveniences in regard to the Transport of its Wounded which the protest of the French Government against the Transport of Wounded Men through Luxemburg Territory, proposed in the interest of humanity, imposed on it.

To its deep regret, however, neither on the part of France nor on that of Luxemburg have the proceedings corresponded with the presumptions that were entertained.

A number of cases, wherein a hostile disposition of part of the population went so far as even to actual ill-treatment of German Officials there, may be left unmentioned, so as not to make the Grand Ducal Government responsible for the offences of Individuals, who certainly deserved a stricter repression than they appear to have met with.

A striking instance of violation of the Neutrality occurred in the Provisioning of Thionville by Railway Trains at night from Luxemburg, so long as the Fortress remained in the hands of the French.

The Grand Ducal Government expressed its regret thereupon, and could not but admit the fact; it is proved beyond doubt that the dispatch of those Railway Trains to Thionville could not have taken place without the connivance of the Grand Ducal Police and Railway Officials. The Royal Government addressed its complaint to the Grand Ducal Government on that occasion,

and drew its attention to the consequences which must necessarily ensue from such conduct.

That warning has, unfortunately, not been attended to.

On the contrary, the violation of the Neutrality has lately extended so far that it is impossible for the Royal Government to overlook it.

After the surrender of Metz there was a transit of French Soldiers and Officers in masses through the Grand Duchy, for the purpose of entering France again, by evading the German Posts.

The French Vice-Consul residing in Luxemburg has established a regular Office at the Railway Station there, where the Fugitives have been provided with Means and Vouchers to enable them to continue their march into France to enter the Army of the North.

The number of Combatants added to the French Forces in this manner amounts, according to the statements before us, to more than 2,000 men.

No measures have been taken against this on the part of the Grand Ducal Government; the French Soldiers have neither been sent into the Interior nor prevented from returning to France with the notorious intention of taking part in the War against Germany. No difficulties have been put in the way of the French Vice-Consul in his just as notorious conduct in contempt of the Neutrality of Luxemburg.

That there is a flagrant violation of the Neutrality of the Grand Duchy in the transit through it for the purpose of entering the Active French Forces, in the official furtherance thereof by the Functionary of the French Government, in the toleration of such conduct by the Grand Ducal Government, there can be no doubt. Therefore, the premises with which the Royal Government was obliged to connect the Neutrality of the Grand Duchy no longer exist.

In consequence of this, I have to request your Excellency, by command of His Majesty, to inform the Government where you are, as one of the Signataries of the Treaty of 11th May, 1867 (**No. 405**), that the Royal Government can no longer consider itself bound to any consideration of the Neutrality of the Grand Duchy, in the Military Operations of the German Army, and in the measures for the security of the German Troops against the injuries inflicted on them from Luxemburg.

At the same time, the Government of His Majesty the King reserves to itself the prosecution of its claims against the Grand Duchy of Luxemburg for the damages done to it through the Non-maintenance of the Neutrality.

I respectfully request your Excellency to read this despatch to the Minister for Foreign Affairs, and to leave a copy of it with him.

Receive, &c.,
VON BISMARCK.

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[This Circular gave rise to explanations and much discussion, and the correspondence which passed upon the subject was laid before Parliament in February, 1871. On the 8th February, 1871, Count Bernstorff stated to Earl Granville that he had been instructed by Count Bismarck to express to him the satisfaction with which he had learnt that Her Majesty's Government were convinced that it was not his intention, in his Circular of the 3rd of December, 1870, to denounce the Treaty of 1867 (**No. 405**), by which the position of Luxemburg was defined and secured, but that he had merely been actuated by the desire to take precautionary measures of defence, necessitated by the Military position, against Military injury to the Prussian cause from violation of the Neutrality of the Territory of Luxemburg; and in allusion to Lord Granville's admission that an emergency might possibly arise which might justify, in some degree, the adoption of such measures, Count Bernstorff expressed his concurrence in the view that any such emergency must be judged upon its merits, and added that further discussion would be superfluous.]

**No. 433.**—*DECLARATION between Great Britain, Austria, France, Italy, North Germany, Russia, and Turkey, as to non-Alteration of Treaties without consent of Contracting Parties. London, 17th January,* 1871.*

(Translation as laid before Parliament.)

THE Plenipotentiaries of North Germany, of Austria-Hungary, of Great Britain, of Italy, of Russia, and of Turkey, assembled to-day in Conference, recognize that it is an essential principle of the Law of Nations that no Power can liberate itself from the engagements of a Treaty, nor modify the stipulations thereof, unless with the consent of the Contracting Powers by means of an amicable arrangement.

In faith of which the said Plenipotentiaries have signed the present Protocol.

Done at London, 17th January, 1871.

BERNSTORFF.
APPONYI.
GRANVILLE.
CADORNA.
BRUNNOW.
MUSURUS.
13th March, 1871. BROGLIE.

* See Protocols of Conferences January to March, 1871, page 1926.

# No. 434.—*CONVENTION OF ARMISTICE between France and the Germanic Confederation. Signed at Versailles, 28th January*, 1871.

ART. TABLE.

Preamble.

1. Armistice to last to the 19th February.* Armies to preserve their positions. Armistice to apply to Naval Forces. Captures made after conclusion of Armistice to be restored, as well as Prisoners. Military operations in Departments of the *Doubs, Jura,* and *Cote d'Or,* as well as the siege of *Belfort,* to continue until arrangements are made.†
2. Armistice concluded to enable Government of National Defence to convoke an Assembly to decide on Peace or War. Assembly to meet at *Bordeaux.*
3. Fortresses round *Paris* to be occupied by *German* Troops.
4‡. *German* Army not to enter *Paris* during Armistice.

The enclosure shall be disarmed of its cannon, and the carriages sent into the Forts.

Armed Garrisons to be Prisoners of War, except 12,000 Men for internal Service in *Paris.* Arms to be delivered up. Soldiers to be interned and delivered up as Prisoners of War if Peace is not concluded. Officers to preserve their Arms.

7. National Guard, &c., charged with Maintenance of Order to preserve Order. Rifle Corps to be disbanded.
8. Facilities to *French* Commissioners for the revictualling of *Paris.*
9. Revictualling of *Paris* after delivery of Forts, &c.
10. Permits for leaving *Paris.*
11. City of *Paris* to pay War Contribution of 200,000,000 francs.
12. Public Securities not to be removed during Armistice.
13. Import of Arms, &c., into *Paris* during Armistice interdicted.
14. Exchange of Prisoners of War.
15. Postal Service for unsealed Letters.

ANNEX. *Demarcation of Armies before Paris. Surrender of Forts and delivery of Armament. 29th January*, 1871.

1. Lines of Demarcation before *Paris.*
2. Roads by which Persons may pass the Line of Demarcation.
3. Surrender of Forts and Redoubts.
4. Delivery of the Armament and Material.

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* Extended first to 24th February; then to 26th February; and afterwards to 26th March, 1871.

† See Convention of 15th February, 1871.

‡ Modified by Art. II of Additional Convention of Preliminaries of Peace of 26th February, 1871.

(Translation.*)

BETWEEN Count Bismarck, Chancellor of the Germanic Confederation, acting in the name of His Majesty the Emperor of Germany, King of Prussia, and M. Jules Favre, Minister for Foreign Affairs of the Government of National Defence, furnished with the necessary Powers, have decided upon the following Conventions:

ARTS. I to XV (see Table).

Done at Versailles, 28th January, 1871.

(L.S.) JULES FAVRE. (L.S.) v. BISMARCK.

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ANNEX.

ARTS. I to IV (see Table).

Versailles, 29th January, 1871.

(L.S.) JULES FAVRE. (L.S.) v. BISMARCK.

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[Conventions for fixing the line of Demarcation between the French and German Armies were signed on the 31st January and 5th February, 1871.]

* For French version, see "State Papers," vol. lxi.

## No. 435.—*MILITARY CONVENTION between France and Switzerland, for the Reception and Entrance of a French Army into Switzerland. Signed at Verrières, 1st February,* 1871.

ART. TABLE.

Preamble.
1. Conditions for Passage of *French* Army into *Switzerland.*
2. Conditions for restoration of Arms, &c.
3. Artillery Material and Munitions.
4. Officers to retain their Horses, Arms, &c.
5. Troopers' Horses.
6. Baggage and Provision Waggons.
7. Treasury and Postal Waggons.
8. Execution of Arrangements.
9. Residence of Officers and Men.
10. Federal Council to direct Details of the Convention.

(Translation.*)

BETWEEN General Herzog, General-in-Chief of the Army of the Swiss Confederation, and General of Division Clinchant, General-in-Chief of the First French Army, the following Conventions have been agreed upon:

*Conditions for Passage of French Army into Switzerland.*

ART. I. The French Army requesting permission to cross over into Swiss Territory, shall lay down their Arms, Equipments, and Munitions, on their Passage.

*Conditions for Restoration of Arms, &c.*

ART. II. Those Arms, Equipments, and Munitions shall be restored to France after the Peace, and after the Definitive Settlement of the Expenses incurred by Switzerland during the residence of French Troops.

*Artillery Material and Munitions.*

ART. III. The same shall be observed with reference to the Artillery Material and Munitions.

* For French version, see "State Papers," vol. lxi.

*Officers to retain their Horses, Arms, &c.*

ART. IV. Horses, Arms, and Effects of Officers shall be left at their disposal.

*Troopers' Horses.*

ART. V. Subsequent Dispositions shall be taken with reference to Troopers' Horses.

*Baggage and Provision Waggons.*

ART. VI. Baggage and Provision Waggons, after having discharged their contents, shall immediately return to France.

*Treasury and Postal Waggons.*

ART. VII. The Treasury and Postal Waggons shall be, with the whole of their contents, delivered over to the Helvetic Confederation, to be accounted for on the Settlement of the Expenses.

*Execution of Arrangements.*

ART. VIII. The execution of these Arrangements shall take place in the presence of French and Swiss Officers appointed for that purpose.

*Residence of Officers and Men.*

ART. IX. The Confederation reserves to itself the appointment of Places of Residence in the Interior for the Officers and Men.

*Federal Council to direct Details of the Convention.*

ART. X. The Federal Council will direct the Details necessary for the completion of the present Convention.

Done in Triplicate, at Verrières, 1st February, 1871.

HANS HERZOG, General.
CLINCHANT.

**No. 436.**—*REGULATIONS agreed upon between the Commissioners of Austria, Russia, and Roumania, for the Navigation and Police of the River Pruth. Signed at Bucharest,* $\frac{27\text{th January}}{8\text{th February}}$, 1871.

ARTS. TABLE.

Preamble. Reference to Convention of 15th December, 1866.

TITLE I.

1 to 13. General Arrangements.

TITLE II.

Police for the Navigation of the *Pruth*.

*Chapter* I.

14 to 28. General Regulations.

*Chapter* II.

29 to 42. Regulations for Vessels crossing or Passing each other.

*Chapter* III.

43 to 51. Wrecks and Stranded Vessels.

*Chapter* IV.

52 to 54. Special Arrangements relative to the Works of Improvement to be undertaken in the *Pruth*.

TITLE III.

55 to 62. Application on the *Pruth* of the Customs Laws of the Riverain States.

TITLE IV.

63 to 67. Officers to superintend the Police of the Navigation, and levying of Taxes on the *Pruth*.

TITLE V.

Contraventions.

*Chapter* I.

68 to 77. Fines for infringement of Regulations.

*Chapter* II.

78 to 84. Regulations for the imposition of Fines.

85. Final Arrangement.

[Navigation of the Pruth.]

(Translation.)

*Reference to Convention of 5th December*, 1866.

THE Mixed Commission of the Pruth:

In execution of Article XXVI of the Convention signed at Bucharest on the $\frac{3rd}{15th}$ December, 1866 (**No. 401**), between the Commissioners of Austro-Hungary, Russia, and Roumania, declaring that the Navigation of the Pruth should be settled by a Regulation of Navigation and Police, prepared by the said Mixed Commission and approved by the 3 Signatory Governments;

Conclude the following Regulations:

ARTS. I to LXXXIV (see Table).

*Final Arrangement.*

ART. LXXXV. The present Regulation may be modified, when necessary, by the permanent Mixed Commission.

Done at Bucharest, the $\frac{27th\ January}{8th\ February}$ 1871.

POTTENBURG.
D'OFFENBERG.
P. DONICE.

## No. 437.—*ADDITIONAL CONVENTION between France and the Germanic Confederation for extending the Armistice to the Departments of the Doubs, the Jura, the Côte d'Or, and before the Fortress of Belfort. Signed at Versailles, 15th February,* 1871.

ART. TABLE.

Preamble. Reference to Convention of 28th January, 1871.

1. Surrender of Fortress of *Belfort* with War Material. Garrison to leave with Honours of War. Commanders of *Belfort* and of besieging Army to Settle Details.
2. *German* Prisoners in *Belfort* to be set at Liberty.
3 & 4. Line of Demarcation between the *French* and *German* Armies.
5. Departments of the *Jura, Doubs,* and *Côte d'Or* to be included in Armistice Convention of 28th January, 1871.

(Translation.)

*Reference to Convention of 28th January,* 1871.

THE Undersigned, furnished with Powers in virtue of which they concluded the Convention of 28th January, 1871 (**No. 434**); considering that by the said Convention it was reserved to a subsequent understanding to terminate the Military Operations in the Departments of the Doubs, Jura, Côte d'Or, and before Belfort, and to trace the Line of Demarcation between the German occupation and the positions of the French Army, commencing at Quarré-les-Tombes, in the Department of the Yonne, have concluded the following Additional Convention:

ARTS. I to V (see Table).

Done at Versailles, 15th February, 1871.

(L.S.) JULES FAVRE.
(L.S.) v. BISMARCK.

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[Conventions for the suspension of Hostilities, and for the surrender of the Fortress of Belfort, were signed at Belfort on the 13th and 16th February, 1871.]

## No. 438.—*PRELIMINARY TREATY OF PEACE between France and Germany. Signed at Versailles, 26th February,* 1871.*

ART. TABLE.

Preamble.
1. Renunciations by *France* in favour of *Germany*. Line of New Frontier between *France* and *Germany*. International Boundary Commission to be appointed. Duties of Commissioners. Map of Frontier. Alteration in Boundary Map. *France* to retain Town and Forts of *Belfort*.
2. Indemnity to be paid by *France*. Time of Payment of Indemnity.
3. Evacuation of *French* Territory by *German* Troops. Gradual Evacuation according to Payments made. Conditions for Payment of the last 3 Billions of Indemnity.
4. Maintenance of *German* Troops of Occupation.
5. Provisions to be made in favour of Inhabitants of ceded Territories.
6. Prisoners of War.
7. Negotiations for Definitive Treaty of Peace.
8. Administration of Occupied Departments to be made over to *French* Authorities. Taxes in Occupied Departments to be levied by and for the use of the *French* Government.
9. *German* Military Authority not to extend to unoccupied Territory.
10. Ratifications.

Accession of Bavaria and Wurtemberg.

(Translation.†)

BETWEEN the Chancellor of the Germanic Empire, Count Otto de Bismarck-Schönhausen, furnished with Full Powers from His Majesty the Emperor of Germany, King of Prussia; the Minister of State and of Foreign Affairs of His Majesty the King of Bavaria, Count Otto de Bray-Steinburg; the Minister for Foreign Affairs of His Majesty the King of Wurtemberg, Baron Auguste de Wächter; the Minister of State, President of the Council of Ministers of His Royal Highness the Grand Duke of Baden, Monsieur Jules Jolly, representing the Germanic Empire, on the one part; and on the other part, the Chief of the Executive Power of the French Republic, Monsieur Thiers, and the Minister for Foreign Affairs, Monsieur Jules Favre, representing France; the Full Powers of the two Contracting Parties having been found in good and due form, the following has been agreed upon, to serve as a Preliminary Bases to the Definitive Peace to be concluded hereafter.

* Acceded to by Baden, Bavaria, and Wurtemberg on the same day.

† For French Version, see "State Papers," vol. lxi.

*Renunciations by France in favour of Germany.*

ART. I. France renounces in favour of the German Empire all her Rights and Titles over the Territories situated on the East of the Frontier hereafter described.

*Line of new Frontier between France and Germany.**

The Line of Demarcation begins at the North-west Frontier of the Canton of Cattenom, towards the Grand Duchy of Luxemburg, follows on the South the Western Frontiers of the Cantons of Cattenom and Thionville, passes by the Canton of Briey, along the Western Frontiers of the Communes of Montjois-la-Montagne and Roncourt, as well as the Eastern Frontiers of the Communes of Marie-aux-Chênes, St. Ail, Habonville, reaches the Frontier of the Canton de Gooze, which it crosses along the Communal Frontiers of Vionville, Bouxières, and Onville, follows the South-west Frontier, south of the District of Metz, the Western Frontier of the District of Chateau-Salins, as far as the Commune of Pettoncourt, taking in the Western and Southern Frontiers thereof to follow the Crest of the Mountains between Seille and Moncel, as far as the Frontier of the District of Sarreburg, to the South of Garde. The demarcation afterwards coincides with the Frontier of that District as far as the Commune of Tanconville, reaching the Frontier to the North thereof, from thence it follows the Crest of the Mountains between the Sources of the White Sarre and Vezouze, as far as the Frontier of that Canton of Schirmeck, skirts the Western Frontier of that Canton, includes the Communes of Saales, Bourg-Bruche, Colroy-la-Roche, Plaine, Ranrupt, Saulxures, and St. Blaise-la-Roche of the Canton of Saales, and coincides with the Western Frontier of the Departments of the Lower Rhine and the Upper Rhine as far as the Cantons of Belfort, the Southern Frontier of which it leaves not far from Vourvenans, to cross the Canton of Delle at the Southern Limits of the Communes of Bourogne and Froide Fontaine, and to reach the Swiss Frontier skirting the Eastern Frontiers of the Communes of Jonchery and Delle.

*International Boundary Commission to be appointed.*

The German Empire shall possess these Territories in perpetuity in all Sovereignty and Property. An International Commission, composed of an equal number of Representatives of the two High Contracting Parties, shall be appointed immediately

* See Definitive Treaty of Peace of 10th May, 1871, Art. I.

after the exchange of the Ratifications of the present Treaty, to trace on the spot the new Frontier, in conformity with the preceding stipulations.

*Duties of Commissioners.*

This Commission shall preside over the Division of the Lands and Funds, which have hitherto belonged to Districts or Communes divided by the new Frontiers; in case of disagreement in the tracing and the measures of execution, the Members of the Commission shall refer to their respective Governments.

*Map of Frontier.*

The Frontier, such as it has just been described, is marked in green on two identic copies of the Map of the Territory forming the Government of Alsace, published at Berlin in September, 1870, by the Geographical and Statistical Division of the Staff, and a copy of which shall be annexed to both copies of the present Treaty.

*Alteration in Boundary Map. France to retain Town and Forts of Belfort.**

Nevertheless, the alteration of the above tracing has been agreed to by the two Contracting Parties. In the former Department of the Moselle, the Villages of Marie-aux-Chênes near St. Privat-la-Montagne, and Vionville to the west of Rezonville, shall be ceded to Germany. In exchange thereof, France shall retain the Town and Fortifications of Belfort, with a Radius which shall be hereafter determined upon.

*Indemnity to be paid by France.†*

ART. II. France shall pay to His Majesty the Emperor of Germany the sum of 5,000,000,000 Francs (5 milliards).

*Time of Payment of Indemnity.*

The Payment of at least 1,000,000,000 (one milliard) Francs shall be effected within the year 1871, and the whole of the remainder of the Debt in the space of 3 years, dating from the Ratification of the present.

*Evacuation of French Territory by German Troops.*

ART. III. The Evacuation of the French Territory occupied by

* See Definitive Treaty of Peace of 10th May, 1871, Art. I.
† See Note, page 1918.

German Troops shall begin after the Ratification of the present Treaty by the National Assembly sitting at Bordeaux. Immediately after that Ratification, the German Troops shall quit the interior of Paris, as well as Forts on the Left Bank of the Seine, and within the shortest possible delay agreed upon between the military authorities of the two Countries, they shall entirely evacuate the Departments of Calvados, Orne, Sarthe, Eure et Loire, Loiret, Loire et Cher, Indre et Loire, Yonne, and also the Departments of the Seine Inférieure, Eure, Seine et Oise, Seine et Marne, Aube, and Côte d'Or, as far as the Left Bank of the Seine. The French Troops shall fall back at the same time behind the Loire, which they shall not be allowed to pass before the signature of the Definitive Treaty of Peace. The Garrison of Paris is excepted from this disposition, the number of which shall not exceed 40,000 men, and the Garrisons indispensably necessary for the safety of the strongholds.

*Gradual Evacuation according to Payments made.*

The Evacuation of the Departments between the Right Bank of the Seine and the Eastern Frontier by German Troops shall take place gradually after the Ratification of the Definitive Treaty of Peace and the payment of the first 500,000,000 (half milliard) of the contribution stipulated by Article II, beginning with the Departments nearest to Paris, and shall continue gradually, according to the proportion of the Payments made on account of the Contribution; after the first Payment of a 500,000,000 (half milliard) that Evacuation shall take place in the following Departments: Somme, Oise, and the parts of the Departments of the Seine Inférieure, Seine et Oise, Seine et Marne, situated on the Right Bank of the Seine, as well as the part of the Department of the Seine, and the Forts situated on the Right Bank.

*Conditions for Payment of the last* 3,000,000,000 (3 *milliards*) *of Indemnity.*

After the payment of 2,000,000,000 (two milliards), the German occupation shall only include the Departments of the Marne, Ardennes, Haute Marne, Meuse, Vosges, Meurthe, as well as the Fortress of Belfort, with its Territory, which shall serve as a pledge for the remaining 3,000,000,000 (3 milliards), and in which the number of the German Troops shall not exceed 50,000 men. His Majesty the Emperor will be willing to substitute for the

Territorial Guarantee, consisting in the partial occupation of the French Territory, a Financial Guarantee, should it be offered by the French Government under conditions considered sufficient by His Majesty the Emperor and King for the interests of Germany. The 3,000,000,000 (3 milliards), the payment of which shall have been deferred, shall bear Interest at the rate of 5 per cent., beginning from the Ratification of the present Convention.

*Maintenance of German Troops of Occupation.*

ART. IV. The German Troops shall abstain from levying contributions either in money or in kind in the occupied Departments. On the other hand, the maintenance of the German Troops remaining in France shall be at the expense of the French Government in the manner decided upon by an Agreement with the German Military Administration.

*Provisions to be made in favour of Inhabitants of ceded Territories.*

ART. V. The interests of the Inhabitants of the Territories ceded by France, in everything relating to their Commerce and their Civil Rights shall be regulated in as favourable a manner as possible when the conditions of the Definitive Peace are settled. A certain time will be fixed, during which they will enjoy particular advantages for the disposal of their produce. The German Government will put no obstacle in the way of Free Emigration by the Inhabitants from the ceded Territories, and shall take no steps against them affecting their Persons or their Property.

*Prisoners of War.*

ART. VI. The Prisoners of War who shall not have been already set at liberty by exchange shall be given up immediately after the Ratification of the present Preliminaries. In order to accelerate the transport of French Prisoners, the French Government shall place at the disposal of the German Authorities in the interior of the German Territory a part of the rolling-stock of its Railways in such proportion as shall be determined by special arrangements, and at prices paid in France by the French Government for military transport.

*Negotiations for Definitive Treaty of Peace.*

ART. VII. The opening of negotiations for the Definitive Treaty of Peace to be concluded on the Basis of the present Preliminaries shall take place at Brussels, immediately after the

Ratification of the latter by the National Assembly and by His Majesty the Emperor of Germany.

*Administration of occupied Departments to be made over to French Authorities.*

ART. VIII. After the conclusion and the Ratification of the Definitive Treaty of Peace (**No. 446**), the Administration of the Departments which are still to remain occupied by the German Troops shall be made over to the French authorities. But the latter shall be bound to conform to the orders which the Commanders of the German troops may think necessary to give in the interests of the safety, maintenance, and distribution of the Troops.

*Taxes in occupied Departments to be levied by and for the use of the French Government.*

After the Ratification of the present Treaty, the Taxes in the occupied Departments shall be levied on account of the French Government, and by its own Officers.

*German Military Authority not to extend to unoccupied Territory.*

ART. IX. It is well understood that these stipulations do not give to the German Military Authority any right over the parts of Territory which it does not actually occupy.

*Ratifications.**

ART. X. The present Preliminary Treaty shall be immediately submitted to the Ratification of His Majesty the Emperor of Germany and to the French National Assembly sitting at Bordeaux.

In testimony whereof the Undersigned have signed the present Preliminary Treaty, and sealed it with the Seal of their Arms.

Done at Versailles, 26th February, 1871.

(L.S.) BISMARCK. (L.S.) A. THIERS.
(L.S.) JULES FAVRE.

* Ratifications exchanged at Versailles 2nd March, 1871.

*Accession of Baden, Bavaria, and Wurtemberg.*

The Kingdoms of Bavaria and Wurtemberg, and the Grand Duchy of Baden, having taken part in the actual War as Allies of Prussia, and now forming part of the Germanic Empire, the Undersigned adhere to the present Convention in the name of their respective Sovereigns.

Versailles, 26th February, 1871.

CTE. DE BRAY-STEINBURG. MITTNACHT.
BN. DE WACHTER. JOLLY.

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[Conventions were concluded between France and Germany on the 21st May, and 12th October, 1871, on the 29th June, 1872, and on the 15th May, 1873, with reference to the payment of the War Indemnity of 3 Milliards = 5,000,000,000 Francs or £200,000,000. The last Instalment was paid by France on the 5th September, 1873, and the last German Troops passed the French Frontier on the 16th of the same Month.]

# No. 439.—*TREATY between Great Britain, Austria, France, Germany (Prussia), Italy, Russia, and Turkey, for the Revision of certain Stipulations of the Treaties of 30th March, 1856, relative to the Black Sea and Danube. Signed at London, 13th March, 1871.*

ART. TABLE.

Preamble. Reference to Treaty of 30th March, 1856.
1. Abrogation of Articles of Treaty of 30th March, 1856, and of Convention of 30th March, 1856.
2. Closing of *Straits of Dardanelles* and *Bosphorus*, and power to open them to Vessels of War in time of Peace.
3. *Black Sea* open to Mercantile Marine of all Nations.
4. Extension of Term of Duration of *Danube* Commission to 24th April, 1883.
5. Conditions of re-assembling of *Riverain* Commission.
6. Provisional Tax on Vessels in the *Danube*, until Extinction of Debt.
7. Neutrality of Works and Establishments created by *European* Commission of the *Danube*.
8. Confirmation of Stipulations of Treaty of 30th March, 1856.
9. Ratifications.

(Translation as laid before Parliament.*)

In the Name of Almighty God.

*Reference to Treaty of 30th March, 1856.*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, His Majesty the Emperor of Germany, King of Prussia, His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, the Chief of the Executive Power of the French Republic, His Majesty the King of Italy, His Majesty the Emperor of All the Russias, and His Majesty the Emperor of the Ottomans, have judged it necessary to assemble their Representatives in Conference at London, in order to come to an understanding, in a spirit of concord, with regard to the revision of the stipulations of the Treaty concluded at Paris on the 30th March, 1856 (**No. 264**), relative to the navigation of the Black Sea, as well as to that of the Danube; being desirous, at the same time, to ensure in those regions new facilities for the development of the commercial activity of all nations, the High Contracting Parties have resolved to conclude a Treaty, and have

* For French version, see "State Papers," vol. lxi.

for that purpose named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Granville George Earl Granville, Lord Leveson, a Peer of the United Kingdom, a Member of Her Majesty's Privy Council, Lord Warden of the Cinque Ports and Constable of Dover Castle, Chancellor of the University of London, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.;

His Majesty the Emperor of Germany, King of Prussia, the Sieur Albert, Count of Bernstorff-Stintenburg, his Minister of State and Chamberlain, Ambassador Extraordinary and Plenipotentiary of His Imperial and Royal Majesty to Her Britannic Majesty, &c.;

His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, the Sieur Rudolph Count Apponyi, Chamberlain, Privy Councillor of His Imperial and Royal Apostolic Majesty, his Ambassador Extraordinary to Her Britannic Majesty, &c.;

The Chief of the Executive Power of the French Republic, the Sieur James Victor Albert Duc de Broglie, Ambassador Extraordinary and Plenipotentiary of the Republic to Her Britannic Majesty, &c.;

His Majesty the King of Italy, the Chevalier Charles Cadorna, Minister of State, Senator of the Kingdom, his Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, &c.;

His Majesty the Emperor of All the Russias, the Sieur Philip Baron de Brunnow, his Actual Privy Councillor, his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

And His Majesty the Emperor of the Ottomans, Constantine Musurus Pasha, Muchir and Vizir of the Empire, his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

*Abrogation of Articles of Treaty of 30th March, 1856, and of Convention of 30th March, 1856.*

ART. I. Articles XI, XIII, and XIV of the Treaty of Paris of

the 30th March, 1856 (**No. 264**), as well as the special Convention concluded between Russia and the Sublime Porte (**No. 266**), and annexed to the said Article XIV, are abrogated, and replaced by the following Article.

*Closing of Straits of Dardanelles and Bosphorus, and power to open them to Vessels of War in time of Peace.*

ART. II. The principle of the closing of the Straits of the Dardanelles and the Bosphorus, such as it has been established by the separate Convention of the 30th March, 1856 (**No. 265**), is maintained, with power to His Imperial Majesty the Sultan to open the said Straits in time of Peace to the Vessels of War of friendly and allied Powers, in case the Sublime Porte should judge it necessary in order to secure the execution of the stipulations of the Treaty of Paris of the 30th March, 1856 (**No. 264**).

*Black Sea open to Mercantile Marine of all Nations.*

ART. III. The Black Sea remains open, as heretofore, to the Mercantile Marine of all Nations.

*Extension of Term of Duration of Danube Commission to 24th April, 1883.*

ART. IV. The Commission established by Article XVI of the Treaty of Paris (**No. 264**), in which the Powers who joined in signing the Treaty are each represented by a delegate, and which was charged with the designation and execution of the works necessary below Isaktcha, to clear the Mouths of the Danube, as well as the neighbouring parts of the Black Sea, from the sands and other impediments which obstruct them, in order to put that part of the River and the said parts of the sea in the best state for navigation, is maintained in its present composition. The duration of that Commission is fixed for a further period of 12 years, counting from the 24th April, 1871, that is to say, till the 24th April, 1883, being the term of the Redemption of the Loan contracted by that Commission, under the Guarantee of Great Britain, Germany, Austria-Hungary, France, Italy, and Turkey (**No. 410**).

*Conditions of re-assembling of Riverain Commission.*

ART. V. The conditions of the re-assembling of the Riverain Commission, established by Article XVII of the Treaty of Paris

of the 30th March, 1856 (**No. 264**), shall be fixed by a previous understanding between the Riverain Powers, without prejudice to the clause relative to the 3 Danubian Principalities; and in so far as any modification of Article XVII of the said Treaty may be involved, this latter shall form the subject of a special Convention between the co-signatory Powers.

*Provisional Tax on Vessels in the Danube, until extinction of Debt.*

ART. VI. As the Powers which possess the shores of that part of the Danube where the Cataracts and the Iron Gates offer impediments to navigation reserve to themselves to come to an understanding with the view of removing those impediments, the High Contracting Parties recognise from the present moment their right to levy a Provisional Tax on Vessels of commerce of every flag which may henceforth benefit thereby, until the extinction of the Debt contracted for the execution of the Works; and they declare Article XV of the Treaty of Paris of 1856 (**No. 264**), to be inapplicable to that part of the River for a space of time necessary for the repayment of the debt in question.

*Neutrality of Works and Establishments created by European Commission of the Danube.*

ART. VII. All the Works and Establishments of every kind created by the European Commission in execution of the Treaty of Paris of 1856 (**No. 264**), or of the present Treaty, shall continue to enjoy the same Neutrality which has hitherto protected them, and which shall be equally respected for the future, under all circumstances, by the High Contracting Parties. The benefits of the immunities which result therefrom shall extend to the whole administrative and engineering staff of the Commission. It is, however, well understood that the provisions of this Article shall in no way affect the right of the Sublime Porte to send, as heretofore, its Vessels of War into the Danube in its character of Territorial Power.

*Confirmation of Stipulations of Treaty of 30th March, 1856.*

ART. VIII. The High Contracting Parties renew and confirm all the stipulations of the Treaty of the 30th March, 1856 (**No. 264**), as well as of its annexes, which are not annulled or modified by the present Treaty.

*Ratifications.*

ART. IX. The present Treaty shall be ratified, and the Ratifications shall be exchanged at London in the term of 6 weeks,* or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the 13th day of the month of March, in the year 1871.

(L.S.) GRANVILLE.
(L.S.) BERNSTORFF.
(L.S.) APPONYI.
(L.S.) BROGLIE.
(L.S.) CADORNA.
(L.S.) BRUNNOW.
(L.S.) MUSURUS.

* This period was afterwards extended to the 15th of May, on which day the Ratifications were exchanged.

## No. 440.—*CONVENTION between Russia and Turkey, relative to the Black Sea. Signed at London, 13th March, 1871.*

[Communicated to the Conference on the 15th May, 1871, on the exchange of the Ratifications of the General Treaty of the 13th March.]

ART. TABLE.

Preamble.
1. Abrogation of Special Conventions of 30th March, 1856, relative to the *Black Sea.*
2. Ratifications.

(Translation as laid before Parliament.*)

In the Name of Almighty God.

HIS Majesty the Emperor of All the Russias and His Imperial Majesty the Sultan, being mutually animated with the desire to consolidate the relations of Peace and good understanding happily existing between their Empires, have resolved to conclude for this purpose a Convention, and have named to that effect as their Plenipotentiaries, that is to say:

His Majesty the Emperor of All the Russias, the Sieur Philip Baron de Brunnow, his Actual Privy Councillor and his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

And His Imperial Majesty the Sultan, Constantine Musurus Pasha, Muchir and Vizir of the Empire, his Ambassador Extraordinary and Plenipotentiary to Her Britannic Majesty, &c.;

Who, after having exchanged their Full Powers, found in good and due form, have agreed upon the following Articles:

*Abrogation of Special Convention of 30th March, 1856, relative to the Black Sea.*

ART. I. The Special Convention concluded at Paris between His Majesty the Emperor of All the Russias and His Imperial Majesty the Sultan, on the $\frac{18}{30}$th March, in the year 1856 (**No. 266**), relative to the number and force of the Vessels of War of the two High Contracting Parties in the Black Sea, is and remains abrogated.

* For French version, see "State Papers," vol. lxi.

*Ratifications.**

ART. II. The present Convention shall be ratified, and the Ratifications thereof shall be exchanged at London in the space of 6 weeks, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at London, the $\frac{1st}{13th}$ day of the month of March, in the year 1871.

(L.S.) BRUNNOW.
(L.S.) MUSURUS.

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[A Convention between Turkey and Russia, *mutatis mutandis*, signed and ratified on the same days, was also communicated to the Conference at the same time.]

* Ratifications exchanged on the 15th May, 1871.

## No. 441.—*PROTOCOLS OF CONFERENCES between the Plenipotentiaries of Great Britain, Austria—Hungary, France, Italy, North Germany (Germany), Russia, and Turkey, for the Revision of the Treaty of 30th March (Black Sea and Danube), 1856. London, 17th January—14th March*, 1871.*

Protocol.

No. 1. Choice of President. Full Powers. Absence of Plenipotentiaries. Declaration of Adhesion. *Russian* Reasons for Revising Stipulations of Treaty of 1856, relative to the Neutrality of the *Black Sea*. Objections of *Turkey*. *Prussian* reasons for proposing Conference. London, 17th January, 1871.

Annex. Declaration as to Non-alteration of Treaties without consent of Contracting Parties. (No. 432). London, 17th January, 1871.

No. 2. Recognition of King of *Prussia's* Title of Emperor of *Germany*. Plenipotentiaries to be styled Plenipotentiaries of *Germany*. *Russian* Reasons for wishing Revision of Treaty of 1856, relative to the Neutrality of the *Black Sea*. Articles of Treaty to be Revised. Conditional Adhesion of *Turkey*. *Austria*, *Great Britain*, and *Italy* support *Turkish* view. Other Plenipotentiaries wait instructions. London, 24th January, 1871.

No. 3. Discussion of proposed New Articles. *Black Sea*, *Dardanelles*, and *Bosphorus*. *Turkish* Objection to Art. II. *Austria* supports Original Reading with Verbal Alteration. *Prussia* supports Original. *Great Britain* advises *Austria* to accede to proposed Articles under reserve. Acceptance by *Italy*. Acceptance by *Germany*. *Austrian* Reservations. Adhesion of *Russia*. Observations on *Turkish* views. Additional Article proposed by *Great Britain* and accepted. *Riverain* Commission of the *Danube*. Duration of European Commission of the *Danube*. Extension of its competency to *Ibraila*. London, 3rd February, 1871.

Annex. Project of Treaty.

No. 4. Qualified Adhesions to Project of Treaty. London, 7th February, 1871.

No. 5. Introduction of French Plenipotentiary. His Adhesion. Decision of Conference. Signs. Declaration annexed to Protocol No. 1 respecting Inviolability of Treaties (No. 433). Proposed extension of *European* Commission of the *Danube* to *Ibraila* abandoned. Articles of Treaty as amended, agreed to. New Convention between *Russia* and *Turkey* respecting number and force of Vessels of War in the *Black Sea*, to be signed and ratified at the same time, as General Treaty. Duration of *European* Commission of the *Danube* extended to 24th April, 1883. London, 13th March, 1871.

No. 6. Signature of Treaty. Close of Conference. Thanks to President. London, 14th March, 1871.

* See Note, page 1900.

## No. 442.—*CONVENTION between France and Germany, for the Delivery to the French Authorities of the Administration of the Departments occupied by German Troops. Signed at Rouen, 16th March, 1871.*

ART. TABLE.

1. Departmental and Communal Administration of Departments occupied by *German* Troops, restored to *French* Authority on Ratification of Convention.

2. Re-establishment of *French* Prefects, &c. *German* Civil Commissioners to superintend *German* Interests. *French* Authorities to conform to measures of *German* Civil Commissioners.

3. *French* Tribunals, &c., to resume their functions. Reorganisation of Gendarmerie. Maintenance of state of Siege in Departments occupied by *Germans*.

4.* *French* Administrative Authorities to conform to measures adopted by Commanders of *German* Troops.

5. Right of *German* Authorities to abrogate above Concessions in case their interests are compromised.

6. Ratifications.

(Translation.)

BETWEEN M. Pouyer-Quertier, Minister of Finances; Baron de Ring, Delegate of the Minister for Foreign Affairs; and M. Casimir Fournier, Delegate of the Minister of the Interior, furnished with the Full Powers of the Government of the French Republic, on the one part; and, on the other part, Lieutenant-General de Fabrice, furnished with the Full Powers of His Majesty the Emperor of Germany, King of Prussia;

The Full Powers of the two Contracting Parties having been found in good and due form, it has been agreed as follows:

The Parties wishing to secure the easy and loyal execution of the Preliminary Treaty of Peace, signed at Versailles between the Empire of Germany and France, on the 26th February last (**No. 438**), and to remove any possibility of a conflict between

* See Preliminaries of Peace of 26th February, 1871, Art. VIII.

the German Army and the French Population, have agreed upon the following dispositions:

ARTS. I to VI (see Table).

Done at Rouen, 16th March, 1871.

(L.S.) FABRICE.
(L.S.) POUYER-QUERTIER.
(L.S.) N. DE RING.
(L.S.) FOURNIER.

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[A Convention was signed on the same day relative to the payment of Taxes in arrear.]

## No. 443.—*LAW of the Emperor of Germany, respecting the Constitution of the Empire. Berlin, 16th April,* 1871.

(Translation.)

*Reference to the Constitution of the North German Confederation and to the Treaties with Bavaria and Wurtemberg of 23rd and 25th November,* 1870.

We, William, by the Grace of God, German Emperor, King of Prussia, &c., do hereby order, in the name of the German Empire, by and with the consent of the Council of the Confederation and of the Imperial Diet, as follows:

§ 1. In the place of the Constitution of the German Confederation, agreed to between the North German Confederation, and the Grand Duchies of Baden and Hesse, as well as of the Treaties of 23rd and 25th November, 1870,* concluded with the Kingdoms of Bavaria and Wurtemberg respecting the adhesion to that Constitution, is substituted the annexed,

*Constitution for the German Empire* (**No. 444**).

§ 2. The stipulations in Article LXXX of the Constitution of the German Confederation (**No. 407**) mentioned in § 1; under III § 8 of the Treaty with Bavaria of 23rd November, 1870; in Article II, No. 6 of the Treaty with Wurtemberg of 25th November, 1870, respecting the introduction into those States of the Laws issued in the North German Confederation, remain in force.

The laws specified there are Laws of the Empire. Where the North German Confederation, its Constitution, Territories, Members, or States, Birthright, Constitutional Organs, Subjects, Officials, Flag, &c., are spoken of therein, the German Empire and its corresponding relations are to be understood.

The same is valid for those Laws enacted in the North German Confederation, which may hereafter be introduced into one of the said States.

§ 3. The arrangements in the Protocol adopted at Versailles on the 15th November, 1870; in the transaction at Berlin on the 25th November, 1870; in the final Protocol of 23rd November, 1870; as well as under Article IV of the Treaty with Bavaria of 23rd November, 1870, are not affected by this Law.

Given under our Imperial Signature, and sealed with our Imperial Seal.

Done at Berlin, the 16th of April, 1871.

Prince v. Bismarck. (L.S.) WILLIAM.

* See Note, pages 1828.

# No. 444.—*CONSTITUTION of the German Empire. Berlin, 16th April, 1871.**

ART. TABLE.

Preamble.
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(Translation.)

His Majesty the King of Prussia in the name of the North German Confederation, His Majesty the King of Bavaria, His Majesty the King of Wurtemberg, His Royal Highness the Grand Duke of Baden, and His Royal Highness the Grand Duke of Hesse and by Rhine, for those parts of the Grand Duchy of

* See Note, page 1828.

Hesse which are south of the river Maine, conclude an everlasting Confederation for the protection of the Territory of the Confederation and the rights thereof, as well as to care for the welfare of the German people. This Confederation will bear the name "German Empire," and is to have the following

## CONSTITUTION.

### 1. *Territory of the Confederation.*

ART. I. The Territory of the Confederation is comprised of the States of Prussia with Lauenburg, Bavaria, Saxony, Wurtemberg, Baden, Hesse, Mecklenburg-Schwerin, Saxe-Weimar, Mecklenburg-Strelitz, Oldenburg, Brunswick, Saxe-Meiningen, Saxe-Altenburg, Saxe-Coburg-Gotha, Anhalt, Schwarzburg-Rudolstadt, Schwarzburg-Sondershausen, Waldeck, Reuss Elder Line, Reuss Younger Line, Schaumburg-Lippe, Lippe, Lubeck, Bremen, and Hamburg.

### II. *Legislature of the Empire.*

ART. II. Within this Confederate Territory the Empire exercises the right of legislation according to the tenor of this Constitution, and with the effect that the Imperial laws take precedence of the laws of the States. The Imperial laws receive their binding power by their publication in the name of the Empire, which takes place by means of an Imperial Law Gazette. If the date of its first coming into force is not otherwise fixed in the published law, it comes into force on the 14th day after the close of the day on which the part of the Imperial Law Gazette which contains it is published at Berlin.

ART. III. For entire Germany one common nationality exists with the effect, that every person (subject, State-citizen) belonging to any one of the Confederated States is to be treated in every other of the Confederated States as a born native, and accordingly must be permitted to have a fixed dwelling, to trade, to be appointed to public offices, to acquire real estate property, to obtain the rights of a State-citizen, and to enjoy all other civil rights under the same presuppositions as the natives, and likewise is to be treated equally with regard to legal prosecution or legal protection.

No German may be restricted from the exercise of this right

by the authorities of his own State or by the authorities of any of the other Confederated States.

Those regulations which have reference to the care of the poor, and their admission into local parishes are not affected by the principles set down in the first paragraph.

Until further notice the Treaties likewise remain in force which have been entered into by the particular States of the Confederation regarding the reception of persons expelled, the care of sick persons, and the burial of deceased persons belonging to the States.

What is needful for the fulfilment of military duty in regard to the native country will be ordered by the way of Imperial legislation.

Every German has the same claim to the protection of the Empire with regard to foreign nations.

ART. IV. The following affairs are subject to the superintendence and legislation of the Empire:

1. The regulations as to freedom of translocation, domicile, and settlement affairs, right of citizenship, passport and police regulations for strangers, and as to transacting business including insurance affairs, in so far as these objects are not already provided for by Article III of this Constitution. In Bavaria, however, the domicile and settlement affairs, and likewise the affairs of colonisation and emigration to foreign countries are herefrom excluded;

2. The customs and commercial legislation, and the taxes which are to be applied to the requirements of the Empire;

3. The regulation of the system of the coinage, weights, and measures, likewise the establishment of the principles for the issue of funded and unfunded paper money;

4. The general regulations as to banking;

5. The granting of patents for inventions;

6. The protection of intellectual property;

7. The organisation of the common protection of German commerce in foreign countries, of German vessels and their flags at sea, and the arrangement of a common Consular representation, which is to be salaried by the Empire;

8. Railway affairs,—excepting in Bavaria the arrangements in Article XLVI,—and the construction of land and water communications for the defence of the country and for the general intercourse;

9. The rafting and navigation affairs on waterways belonging in common to several of the States, and the condition of the waterways, and likewise the river or other water dues;

10. Postal and telegraph affairs; in Bavaria and Wurtemberg, however, only with reference to the provisions of Article LII;

11. Regulations as to the reciprocal execution of judgments in civil affairs and the settlement of requisitions in general;

12. Likewise as to the verification of public documents;

13. The general legislation as to obligatory rights, penal law, commercial and bill-of-exchange laws, and judicial procedure;

14. The military and naval affairs of the Empire;

15. The measures of medicinal and veterinary police;

16. The regulations for the press and for union societies.

ART. V. The Legislation of the Empire is carried on by the council of the Confederation and the Imperial Diet. The accordance of the majority of votes in both Assemblies is necessary and sufficient for a law of the Empire.

In projects of law on military affairs, on naval affairs, and on the taxes mentioned in Article XXXV, the President has the casting vote in cases where there is a difference of opinion, if his vote is in favour of the maintenance of the existing arrangements.

III. *Council of the Confederation. Committee for Foreign Affairs.*

ART. VI. The Council of the Confederation consists of the Representatives of the Members of the Confederation, amongst which the votes are divided in such a manner that Prussia has, with the former votes of Hanover, Electoral Hesse, Holstein, Nassau, and Frankfort,

| | 17 votes. |
|---|---|
| Bavaria .. .. .. .. .. | 6 |
| Saxony .. .. .. .. .. | 4 |
| Wurtemberg .. .. .. .. | 4 |
| Baden .. .. .. .. .. | 3 |
| Hesse .. .. .. .. .. | 3 |
| Mecklenburg-Schwerin .. .. .. | 2 |
| Saxe-Weimar .. .. .. .. | 1 |
| Mecklenburg-Strelitz .. .. .. | 1 |
| Oldenburg .. .. .. .. .. | 1 |
| Brunswick .. .. .. .. .. | 2 |
| Saxe-Meiningen .. .. .. .. | 1 |

| | | |
|---|---|---|
| Saxe-Altenburg .. .. .. .. | 1 | vote. |
| Saxe-Coburg-Gotha .. .. .. | 1 | |
| Anhalt .. .. .. .. .. | 1 | |
| Schwarzburg-Rudolstadt.. .. .. | 1 | |
| Schwarzburg-Sondershausen .. .. | 1 | |
| Waldeck .. .. .. .. .. | 1 | |
| Reuss Elder Line .. .. .. .. | 1 | |
| Reuss Younger Line .. .. .. | 1 | |
| Schaumburg-Lippe .. .. .. | 1 | |
| Lippe .. .. .. .. .. | 1 | |
| Lubeck .. .. .. .. .. | 1 | |
| Bremen .. .. .. .. .. | 1 | |
| Hamburg .. .. .. .. .. | 1 | |
| Total | 58 | votes. |

Each member of the Confederation can nominate as many Plenipotentiaries to the Council of the Confederation as it has votes; but the totality of such votes can only be given in one sense.

ART. VII. The Council of the Confederation determines:

1. What Bills are to be brought before the Imperial Diet, and on the resolutions passed by the same;

2. As to the administrative measures and arrangements necessary for the general execution of the Imperial Legislation, in so far as no other Imperial law has decreed to the contrary;

3. As to defects which have made themselves manifest in the execution of the Imperial laws or the above-mentioned measures and arrangements.

Every member of the Confederation has the right to propose Bills and to recommend them, and the Presidency is bound to bring them under debate.

The decisions take place by simple majority, with the reservation of the stipulations in the Articles V, XXXVII, and LXXVIII. Non-represented votes or votes without instructions, are not counted. In equal divisions the Presidential is the casting vote.

In decisions upon affairs, wherein according to the rules of this Constitution, the whole Empire has not a common interest, only the votes of those Confederated States are counted which are interested in common.

ART. VIII. The Council of the Confederation forms permanent Committees from its own members;

1. For the land army and fortresses.
2. For naval affairs.
3. For customs and taxes.
4. For commerce and intercourse.
5. For railways, post, and telegraphs.
6. For affairs of justice.
7. For finances.

In each of these Committees, besides the Presidency, at least 4 of the Confederated States will be represented, and in the same each State only has one vote. In the Committee for the land army and fortresses, Bavaria has a perpetual seat, the other members thereof as well as the members for the Naval Committee are nominated by the Emperor; the members of the other Committees are elected by the Council of the Confederation. The composition of these Committees is to be renewed for every session of the Council of the Confederation or respectively every year, when the outgoing members may be re-elected.

Besides these in the Council of the Confederation a Committee for Foreign Affairs will be formed, comprised of the Representatives of the Kingdoms of Bavaria, Saxony, and Wurtemberg, and of two other Representatives of other Confederated States, who will be yearly elected by the Council of the Confederation, in which Committee Bavaria will occupy the chair.

The necessary officials will be placed at the disposal of these Committees.

ART. IX. Every member of the Council of the Confederation has the right to appear in the Imperial Diet, and must at his desire at all times be heard, in order to represent the views of his Government, even when these views have not been adopted by the majority of the Council of the Confederation. No one may at the same time be a member of the Council of the Confederation and of the Imperial Diet.

ART. X. The Emperor is bound to afford the usual diplomatic protection to the members of the Council of the Confederation.

IV. *The Presidency. King of Prussia, German Emperor. Right to Declare War; to make Peace; to conclude Treaties with Foreign Powers, and to send and receive Ambassadors.*

ART. XI. The Presidency of the Confederation belongs to the King of Prussia, who bears the name of German Emperor. The

Emperor has to represent the Empire internationally, to declare war, and to conclude peace in the name of the Empire, to enter into alliances and other Treaties with Foreign Powers, to accredit and to receive Ambassadors.

The consent of the Council of the Confederation is necessary for the declaration of war in the name of the Empire, unless an attack on the territory or the coast of the Confederation has taken place.

In so far as Treaties with Foreign States have reference to affairs which according to Article IV, belong to the jurisdiction of the Imperial Legislation, the consent of the Council of the Confederation is requisite for their conclusion, and the sanction of the Imperial Diet for their coming into force.

ART. XII. The Emperor has the right to summon, to open, to prorogue, and to close both the Council of the Confederation and the Imperial Diet.

ART. XIII. The summoning of the Council of the Confederation, and of the Imperial Diet, takes place once each year, and the Council of the Confederation can be called together for preparation of business without the Imperial Diet being likewise summoned, whereas the latter cannot be summoned without the Council of the Confederation.

ART. XIV. The Council of the Confederation must be summoned whenever one-third of the votes require it.

ART. XV. The presidency in the Council of the Confederation and the direction of the business belongs to the Chancellor of the Empire, who is to be appointed by the Emperor.

The Chancellor of the Empire can be represented, on his giving written information thereof, by any other member of the Council of the Confederation.

ART. XVI. The requisite motions, in accordance with the votes of the Council of the Confederation will be brought before the Imperial Diet in the name of the Emperor, where they will be supported by members of the Council of the Confederation, or by particular Commissioners nominated by the latter.

ART. XVII. The expedition and proclamation of the laws of the Empire, and the care of their execution, belongs to the Emperor. The Orders and Decrees of the Emperor are issued in the name of the Empire and require for their validity the countersignature of the Chancellor of the Empire, who thereby undertakes the responsibility.

ART. XVIII. The Emperor nominates the Imperial officials, causes them to be sworn for the Empire, and, when necessary, decrees their dismissal.

The officials of any State of the Confederation, when appointed to any Imperial office, are entitled to the same rights with respect to the Empire, as they would enjoy from their official position in their own country, excepting in such cases as have otherwise been provided for by the Imperial Legislation before their entrance into the Imperial service.

ART. XIX. Whenever members of the Confederation do not fulfil their Constitutional duties towards the Confederation, they may be constrained to do so by way of execution. Such execution must be decreed by the Council of the Confederation, and be carried out by the Emperor.

## V. *Imperial Diet.*

ART. XX. The Imperial Diet is elected by universal and direct election with secret votes.

Until the legal arrangement reserved in § 5 of the Election Laws of 31st May, 1869 ("Federal Law Gazette," 1869, page 145), has been made, there are to be elected—in Bavaria, 48; in Wurtemberg, 17; in Baden, 14; Hesse, south of the Maine, 6 members, and the total number of the members consists, therefore, of 382.

ART. XXI. Officials do not require any leave of absence on entering into the Imperial Diet.

If any member of the Imperial Diet accepts of any salaried appointment of the Empire, or of any State of the Confederation, or enters into any Imperial or State office to which a higher rank, or higher salary is attached, he loses his seat and service in the Diet, and can only regain his position in the same by re-election.

ART. XXII. The proceedings of the Imperial Diet are public.

Accurate reports of the proceedings in the public sittings of the Imperial Diet are free from any responsibility.

ART. XXIII. The Imperial Diet has the right to propose laws within the competency of the Empire, and to forward Petitions which have been addressed to it to the Council of the Confederation, or to the Chancellor of the Empire.

ART. XXIV. The Legislative Period of the Imperial Diet is 3 years. For a Dissolution of the Imperial Diet within this time, a

Resolution of the Council of the Confederation, with the Assent of the Emperor, is requisite.

ART. XXV. In case of a Dissolution of the Imperial Diet, the Meeting of the Electors must be called within a period of 60 days after such dissolution, and within a period of 90 days the Imperial Diet must be summoned.

ART. XXVI. Without the assent of the Imperial Diet the Prorogation of the same may not be extended over 30 days, and it can never be repeated during the same session.

ART. XXVII. The Imperial Diet scrutinises the legality of the credentials of its Members, and decides thereon. It regulates its own method of business and discipline by a business-order, and elects its President, Vice-Presidents, and Secretaries.

ART. XXVIII. The Imperial Diet decides by absolute Majority of Votes. The presence of a majority of the legal number of the members is necessary for the validity of a resolution.

In Voting on a matter which, according to the stipulations of this Constitution, is not common to the whole Empire, only the votes of those members will be counted who have been elected in those Confederate States to which the matter is common.

ART. XXIX. The Members of the Imperial Diet are Representatives of the entire people, and are not bound by orders and instructions.

ART. XXX. No Member of the Imperial Diet can at any time be proceeded against, either judicially or by way of discipline, on account of his votes, or for expressions made use of in the exercise of his functions, nor can he be made responsible in any other way out of the Assembly.

ART. XXXI. Without the assent of the Imperial Diet, no Member of the same may be placed under examination or Arrested during the period of the Session for any deed subject to punishment, except when taken in the fact, or in the course of the following day.

The same assent is needful in arrest for debt.

At the requisition of the Imperial Diet, every correctional procedure against a Member of the same, and all investigations or civil arrests must be relinquished for the duration of the period of the Session.

ART. XXXII. The Members of the Imperial Diet must not receive any Salary or Indemnification in that capacity.

VI. *Customs and Commercial Affairs.*

ART. XXXIII. Germany forms one Customs and Commercial Territory, encircled by a common Customs frontier. Those separate parts of Territory are excluded which, from their position, are not adapted for inclusion in the Customs frontier.

All articles of free trade in any one of the States of the Confederation may be introduced into any other State of the Confederation, and can only be subjected to a duty in the latter in so far as similar articles produced in that State are subject to a home duty.

ART. XXXIV. The Hanseatic towns Bremen and Hamburgh, with so much of their own or of the adjacent Territory as may be needful for the purpose, remain as free ports outside the common Customs frontier until they apply to be admitted therein.

ART. XXXV. The Empire has the sole right of Legislation in all Custom-house affairs, in the taxation of Salt and Tobacco produced in the Territories of the Confederation, Beer, and Spirit, and Sugar, and Syrup, or other home productions made from beetroot, in the reciprocal protection of consumption duties raised in the separate States of the Confederation against defraudations, as well as in such measures as the Customs Committees may find requisite for the security of the common Customs frontier.

In Bavaria, Wurtemberg, and Baden, the Taxation of the native Spirit and Beer remains for the present subject to the laws of the land. But the States of the Confederation will direct their efforts to bring about an assimilation in the taxation of these articles likewise.

ART. XXXVI. The Collection and Administration of the Duties and Consumption Taxes (Article XXXV) remain in the hands of each State of the Confederation, within its own Territory, in so far as they have hitherto been so.

The Emperor watches over the observance of the legal procedure through Imperial officials, whom he attaches to the Customs or Excise offices, and to the directing authorities of the separate States, according to the advice of the Committee of the Council of the Confederation for Customs and Excise affairs.

Information given by these officials as to defects in the execution of the common legislation (Article XXXV) will be laid before the Council of the Confederation for decision.

ART. XXXVII. In decisions relative to the administrative in-

structions and arrangements (Article XXXV) for the execution of the common legislation, the Presidency has the casting vote, when it is given for the continuance of the existing instruction or arrangement.

ART. XXXVIII. The revenue from the Duties or other Taxes mentioned in Article XXXV, the latter in so far as they are subject to the Imperial legislation, flows into the Imperial Treasury.

This revenue consists of the whole income arising from the duties and other taxes after the deduction of:

1. The tax-compensations and abatements according to the laws or the general administrative regulations.

2. The repayments for incorrect levies.

3. The expenses of collection and administration as follows:

*a.* For the Customs, the expenses which are requisite for the protection and the collection of the duties in that part of the frontiers situated towards foreign countries and in the border district.

*b.* For the Salt Tax, the expenses which are incurred for the salaries of the officials who are employed in the salt works to collect and control that tax.

*c.* For the Beet-sugar and Tobacco Tax, the compensation which, according to the decisions of the Council of the Confederation from time to time, has to be made to the several Federal Governments for the expenses incurred in the administration of these taxes.

*d.* For the other duties 15 per cent. of the total income.

The Territories situated outside the common Customs frontier pay an agreed sum towards defraying the expenses of the Empire.

Bavaria, Wurtemberg, and Baden, do not participate in the income flowing into the Imperial Treasury from the taxes on spirits and beer, nor in the corresponding part of the above-mentioned agreed payment.

ART. XXXIX. The Quarterly extracts which are to be made at the end of each quarter of the year by the collecting authorities of the Federal States, and the final statements to be made at the end of the year and the close of the books, on the income from duties and from consumption dues flowing into the Imperial Treasury according to Article XXXVIII, falling due during the quarter, or during the financial year, are to be collected into chief summaries, after previous examination, by the directing authori-

ties of the Federal States, and therein each duty is to be separately shown; these summaries are to be sent in to the Committee of the Council of the Confederation for financial affairs.

On the basis of these summaries the said Committee makes out preliminarily every 3 months the amount due from the Treasury of each State of the Confederation, to the Imperial Treasury, and communicates these amounts to the Council of the Confederation, and to the States of the Confederation; it also presents the final statement of these amounts every year, with remarks, to the Council of the Confederation. The Council of the Confederation decides on this statement.

ART. XL. The stipulations in the Zollverein Treaty of 8th July, 1867, remain in force in so far as they have not been altered by the provisions of this Constitution, and so long as they are not altered in the way pointed out in Article VII, or Article LXXVII.

## VII. *Railway Affairs.*

ART. XLI. Railways which are considered necessary for the defence of Germany, or for the sake of the common intercourse, may, by virtue of an Imperial law, even against the opposition of the members of the Confederation whose Territory is intersected by the Railways, but without prejudice to the prerogatives of the country, be constructed on account of the Empire, or concessions to execute the works may be granted to private contractors, with the right of expropriation.

Every existing Railway board of direction is bound to consent to the junction of newly-constructed Railways at the expense of the latter.

The legal enactments which have granted a right of denial to existing Railway undertakings against the construction of parallel or competing lines are hereby, without prejudice to rights already gained, repealed for the entire Empire. Nor can such a right of denial be ever granted again in concessions to be issued hereafter.

ART. XLII. The Governments of the Confederation bind themselves to manage the German Railways as a uniform network in the interest of the common intercourse, and likewise for this purpose to have all new Railways which are to be made, constructed, and fitted up according to uniform rules.

ART. XLIII. For this purpose corresponding working arrange-

ments are to be adopted with all possible despatch, particularly with regard to Railway Police Regulations. The Empire has likewise to take heed that the Railway Boards keep the lines at all times in such a state of repair as to insure safety, and that they provide them with the working material necessary for the traffic.

ART. XLIV. The Railway Boards are bound to introduce the necessary Passenger Trains of the proper speed for the through traffic, and for the arrangement of corresponding journeys, also the requisite trains to provide for the goods traffic; likewise, to arrange direct expeditions for passengers and goods traffic, with permission for conveying the means of transport from one line to the other for the usual payments.

ART. XLV. The Empire exercises the control over the Tariffs, and will especially operate to the end:

1. That working regulations, in conformity with each other, be introduced as soon as possible on all German railroads;

2. That the greatest possible equalisation and reduction of the tariffs shall take place, and particularly for greater distances an abatement of the tariffs for the transport of coals, coke, timber, ores, stones, salt, raw iron, manures, and similar articles, so as to be more in proportion to the necessities of agriculture and industry, and that the one pfennig tariff may be introduced as speedily as possible.

ART. XLVI. In times of distress, particularly when an unusual dearth of the necessaries of life occurs, the railway boards are bound to introduce a lower special tariff for the transport of grain, meal, pulse, and potatoes, temporarily, according to the necessity, as will be determined by the Emperor on the proposal of the respective committee of the Council of the Confederation, which tariff, however, must not be lower than the lowest rate already existing for raw produce on the respective line.

The above, as well as the stipulations made in the Articles XLII to XLV, are not applicable to Bavaria.

But the Empire has the right in regard to Bavaria likewise to lay down, by way of legislation, uniform rules for the construction and fitting up of the railways which are of importance for the defence of the country.

ART. XLVII. The requisitions of the authorities of the Empire relative to making use of the railways for the purpose of the defence of Germany, must be obeyed without question by all the

railway boards. In particular, the military and all materials of war are to be conveyed at equally reduced rates.

## VIII. *Postal and Telegraph Affairs.*

ART. XLVIII. The postal and telegraph affairs will be arranged and administered for the entire German Empire as uniform institutions for State intercourse.

The legislation of the Empire in postal and telegraphic affairs, as provided in Article IV, does not extend to those objects, the regulation of which, according to the principles which govern the North German Postal and Telegraph Administration, has been left to definitive rules or administrative directions.

ART. XLIX. The revenues of the postal and telegraphic service are in common for the entire Empire. The expenses will be defrayed from the common revenues. The surpluses flow into the Imperial Treasury (Section XII).

ART. L. The chief direction of the postal and telegraphic administration belongs to the Emperor. The officials appointed by him have the duty and the right to take care that uniformity in the organisation of the administration and in carrying on the service, as well as in the qualification of the officials, be introduced and maintained.

The issue of definitive rules and general administrative directions, as well as the sole care of the relations with other postal and telegraphic offices, belongs to the Emperor.

All the officials of the postal and telegraph administration are bound to obey the Imperial directions. This duty is to be recorded in the oath of service.

The appointment of the requisite principal officials for the administrative authorities of the post and telegraphic service in the various districts (such as directors, counsellors, chief inspectors), likewise the appointment of the officials acting as the organs of the before-mentioned functionaries, in the service of supervision, &c., in the separate districts (such as inspectors, controllers), proceeds, for the whole territory of the German Empire, from the Emperor, to whom these officials render the oath of service. Timely notice of the appointments in question, for the governmental approbation and publication, will be given to the Governments of the several States, so far as their territory is thereby concerned.

The other officials necessary for the post and telegraphic service, as well as all those required for the local or technical business, therefore the officials, &c., acting at the actual places of business, will be appointed by the respective State Governments.

Where there is no independent State post or telegraph administration, the provisions of the special Treaties form the rule.

ART. LI. In making over the balance of the postal administration for general Imperial purposes (Article XLIX), in consideration of the previous difference in the net incomes obtained by the State postal administrations of the separate territories, the following proceeding is to be observed for the purpose of a corresponding arrangement during the undermentioned period of transition.

From the postal balances which have accrued in the separate postal districts during the 5 years, 1861 to 1865, an average yearly balance will be calculated, and the share which each separate postal district has had in the postal balance thus shown for the whole territory of the Empire, will be fixed according to per centages.

According to the proportion ascertained in this manner, the separate States will be credited for the next 8 years after their entrance into the postal administration of the Empire, with such quotas as accrue to them from the postal balances produced in the Empire, in account with their other contributions for Imperial purposes.

At the expiration of the 8 years all distinctions cease, and the postal balances will flow in undivided account into the Imperial Treasury, according to the principle set forth in Article XLIX.

From the quotas of the postal surplus thus ascertained during the before-mentioned 8 years for the Hanseatic towns, one-half will be placed beforehand every year at the disposal of the Emperor, for the purpose, in the first place, of paying therefrom the expenses for the establishment of normal postal institutions in the Hanseatic towns.

ART. LII. The stipulations in the foregoing Articles XLVIII to LI have no application to Bavaria and Wurtemberg. In their place the following stipulations are in force for those two States of the Confederation:

To the Empire alone belongs the legislation as to the postal

and telegraph privileges, as to the legal relations between both institutions and the public, as to exemptions from postage and rates of postage, exclusively, however, of the rules and tariff regulations for the home circulation of Bavaria, and of Wurtemberg respectively, likewise under similar reservation the settlement of the fees for telegraphic correspondence.

In the same manner the regulation of the postal and telegraph intercourse with foreign countries belongs to the Empire, excepting the direct intercourse of Bavaria and of Wurtemberg themselves with the neighbouring States which do not belong to the Empire, the regulations as to which remain as stipulated in Article XLIX of the Postal Treaty of 23rd November, 1867.

Bavaria and Wurtemberg do not participate in the income flowing into the Imperial Treasury from the postal and telegraph service.

IX. *Shipping and Navigation.*

ART. LIII. The war navy of the Empire is one united navy under the chief command of the Emperor. The organisation and composition thereof is the business of the Emperor, who appoints the Naval officers and officials, and into whose service they and the men are to be sworn.

The Harbour of Kiel and that of Jahde are Imperial military harbours.

The necessary expenses for the establishment and maintenance of the war fleet, and the institutions in connection therewith, are paid from the Treasury of the Empire.

The whole of the maritime population of the Empire, including engineers and shipwrights, are free from service in the land army, but on the other hand, are bound to serve in the Imperial Navy.

The apportionment of the recruits is arranged according to the number of the maritime population, and the quota which each State thus contributes is deducted from the contingent to the land army.

ART. LIV. The merchant vessels of all the States of the Confederation form one undivided commercial navy.

The Empire has to determine the method of ascertaining the burden of sea-going vessels, to grant bills of admeasurement, as well as to regulate the ship-certificates, and to determine the conditions upon which the permission to command a sea-going vessel depends.

The commercial ships of all the States of the Confederation will be admitted and treated on equal terms in the sea harbours, and in all the natural and artificial waterways of the separate States of the Confederation. The dues to be levied in the sea ports from sea-going vessels or their cargoes for using the navigation appliances, must not exceed the expenses which are requisite for the maintenance and ordinary repairs of those appliances.

On all natural waterways dues may only be levied for the use of such appliances as are especially intended for the furtherance of traffic. These dues, as well as the dues payable for making use of such artificial waterways as are State property, must not exceed the expenses which are requisite for the maintenance and ordinary repairs of such erections and works. These regulations are also applicable to floatage so far as it takes place on navigable waterways.

The imposition of other or higher dues on foreign ships, or their cargoes, than those paid by the ships of the Federal States does not belong to any single State, but solely to the Empire.

ART. LV. The Flag of the navy and of the merchant-shipping is black, white, and red.

## X. *Consular Service.*

ART. LVI. The whole of the Consular service of the German Empire is under the superintendence of the Emperor, who appoints the Consuls after consultation with the Committee of the Council of the Confederation for Commerce and Traffic.

Within the official district of the German Consuls no new Consulates for separate States may be erected. The German Consuls exercise the functions of a national Consul for any State of the Confederation, not represented in their district. The whole of the existing Consulates for separate States are to be abolished as soon as the organisation of the German Consulates is so completed, that the representation of the interests of all the States of the Confederation is recognised by the Council of the Confederation as secured by the German Consulates.

## XI. *Military Affairs of the Empire.*

ART. LVII. Every German is liable to military service, and cannot have that service performed by substitute.

ART. LVIII. The expenses and burdens of the whole of the military affairs of the Empire are to be borne equally by all of the States of the Confederation and those belonging to them, so that no preferences, or overburdening of any single States or classes, are in principle admissible. Where an equal division of the burdens is not practicable *in natura*, without prejudice to the public welfare, the matter is to be arranged on the principles of equity by means of legislation.

ART. LIX. Every German capable of service belongs for 7 years to the standing army, as a rule from the completion of the 20th to the commencement of the 28th year of his age; that is, for the first 3 of these years with the standards, and for the last 4 years in the reserve; then for the following 5 years of his life to the Landwehr. In those States of the Confederation wherein hitherto a longer period than 12 years of service altogether has been legal, the gradual reduction of such service can only take place in so far as regard for the readiness for war of the Imperial army permits it.

With respect to the emigration of the reserve men only those regulations are to be applied which are in force for the emigration of the Landwehr men.

ART. LX. The effective strength of the German army in peace is fixed till the 31st December, 1871, at one per cent. of the population of the year 1867, and the separate States of the Confederation supply it *pro rata* thereof. Subsequently the effective strength of the army in peace will be determined by Imperial legislation.

ART. LXI. After the publication of this Constitution the whole Prussian Military Code of Laws is to be introduced throughout the Empire without delay, both the laws themselves and the regulations, instructions, and rescripts issued for the explanation and completion thereof, especially therefore the Military Penal Code of the 3rd April, 1845, the Military Court-martial Regulations of the 3rd April, 1845; the Ordinance upon Courts of Honour of the 20th July, 1843; the regulations upon recruiting, time of service, allowance and maintenance affairs, billeting, compensations for damages to agriculture, mobilisation, &c., for war and peace. The military Church ritual is, however, excluded.

After the uniform war organisation of the German army has been effected, a comprehensive Military Law for the Empire will be laid before the Imperial Diet and the Council of the Confederation for their constitutional decision.

ART. LXII. To cover the outlay necessary for the entire German army, and the arrangements appertaining thereunto until the 31st December, 1871, there are yearly to be placed at the disposal of the Emperor, as many times 225 thalers, in words two hundred and twenty-five thalers, as the poll-number of the peace strength of the army amounts to, according to Article LX. See Section XII.

After the 31st December, 1871, these contributions must continue to be paid to the Imperial Treasury by each State of the Confederation. For the calculation thereof the effective strength in peace, as provisionally settled in Article LX, will be taken as the basis until it is altered by an Imperial law.

The expenditure of this sum for the entire Imperial Army and its arrangements will be determined on by the Estimate Law.

In settling the estimates of the military expenses, the legal organisation of the Imperial army, as laid down in this Constitution, will be taken as the basis.

ART. LXIII. The entire land force of the Empire will form a single army, which in war and peace is under the command of the Emperor.

The regiments, &c., bear running numbers for the entire German Army. For their clothing, the ground colours and fashion of the Royal Prussian army are to be the model. It is left to the chiefs of the respective contingents to determine the external marks of distinction (cockades, &c.).

It is the duty and the right of the Emperor to take care that all the divisions of troops within the German army are numerically complete and effective for war, and that unity in the organisation and formation, in the armament and command, in the training of the men, as well as in the qualifications of the officers, be established and maintained. For this purpose the Emperor has the right to convince himself of the condition of the separate contingents at all times by inspection, and to order the reformation of any defects thereby discovered.

The Emperor determines the effective strength, the division and arrangement of the contingents of the Imperial army, as well as the organisation of the Landwehr, he also has the right of determining the garrisons within the territories of the Confederation, and to order the embodiment of any part of the Imperial army in a state of preparation for war.

For the purpose of keeping up the indispensable uniformity in

the administration, maintenance, armament, and equipment of all the divisions of troops of the German army, the orders issued thereon in future for the Prussian army will be communicated in a suitable manner, through the Committee for the Land Army and Fortresses mentioned in Article VIII, No. 1, to the commanders of the other contingents for observance.

ART. LXIV. All German troops are bound to obey the commands of the Emperor unconditionally. This duty is to be specified in the Banner-oath.

The Commander-in-Chief of a contingent, likewise all officers who command Troops of more than one contingent, and all commanders of Fortresses are appointed by the Emperor. The officers appointed by the Emperor take the Banner-oath to him. The appointments of Generals and officers acting as Generals within the contingents are at all times subject to the approbation of the Emperor.

The Emperor has the right, for purposes of transposition, with or without promotion, to select for such appointments as are to be made by him in the Imperial service, whether in the Prussian Army or in other contingents, from the officers of all the contingents of the Imperial Army.

ART. LXV. The right of erecting Fortresses within the Territories of the Confederation belongs to the Emperor, who proposes, according to Section XII, the grant of the necessary means for the purpose, in so far as they are not provided for in the ordinary Estimates.

ART. LXVI. Where nothing to the contrary is stipulated by particular Conventions, the Sovereigns of the Confederation, or the Senates, appoint the Officers of their Contingents, subject to the restriction of Article LXIV. They are the chiefs of all the divisions of troops belonging to their Territories, and enjoy the honours connected therewith. They have especially the right of inspection at all times, and receive, besides the regular reports and announcements of alterations which take place, timely information, for the purpose of Governmental publication, of all promotions or nominations among the respective divisions of the Troops.

Likewise, they have the right to make use, for purposes of Police, not only of their own Troops, but also to make requisition for any other division of Troops of the Imperial Army which may be located in their Territories.

ART. LXVII. Savings from the Military Estimate do not belong under any circumstances to a single Government, but at all times to the Imperial Treasury.

ART. LXVIII. The Emperor may, when the public safety is threatened in the Territories of the Confederation, declare any part thereof to be in a State of War. Until the promulgation of an Imperial law, which will regulate the premisses, the form of publication, and the effects of such a Declaration, the rules of the Prussian law of 4th June, 1851, remain in force. (Collection of Laws for 1851, page 451, *& seq.*)

*Final Stipulation to Section* XI.

The provisions contained in this section come into force in Bavaria according to the special stipulations of the Treaty of Confederation of 23rd November, 1870 ("Federal Law Gazette," 1871, page 9), under III, § 5, and in Wurtemberg, acccording to the special stipulations of the Military Convention of $\frac{21st}{25th}$ November, 1870. ("Federal Law Gazette," 1870, page 658.)

XII. *Finances of the Empire.*

ART. LXIX. All the Receipts and Disbursements of the Empire must be estimated for each year, and be brought into the Imperial Estimates. These are to be fixed by a law before the beginning of the financial year, according to the following principles.

ART. LXX. To provide for all common expenses, any balances of the preceding year are first of all employed, and likewise the common Revenues derived from the Duties, the common Consumption Taxes, and from the Postal and Telegraph Services. In so far as they cannot be provided for by these Revenues, they are, as long as Imperial Taxes are not introduced, to be met by contributions from the single States of the Confederation, in proportion to their population, which contributions to the amount estimated in the Budget will be estimated by the Chancellor of the Empire.

ART. LXXI. The common Disbursements are, as a rule, voted for one year; they may, however, in particular cases, be voted for a longer period.

During the time of transition mentioned in Article LX, the

Estimates of Expenditure for the Army, arranged under heads, are to be laid before the Council of the Confederation and the Imperial Diet only for their information and remembrance.

ART. LXXII. The Chancellor of the Empire is to give account yearly to the Council of the Confederation and to the Imperial Diet of the application of all the incomes of the Empire, for discharge of responsibility.

ART. LXXIII. In cases of extraordinary requirements, the Contracting of a Loan, also the undertaking of a Guarantee on account of the Empire, may take place in the way of Imperial legislation.

*Final Stipulation to Section* XII.

To the Expenditure for the Bavarian Army, Articles LXIX and LXXI are only applicable in conformity with the stipulations of the Treaty of 23rd November, 1870, mentioned in the final stipulation to Section XI and Article LXXII, only so far that the assignment to Bavaria of the sums necessary for the Bavarian Army is to be notified to the Council of the Confederation and to the Imperial Diet.

XIII. *Settlement of Differences and Penal Stipulations.*

ART. LXXIV. Every undertaking against the existence, the integrity, the safety, or the Constitution of the German Empire; finally, insulting the Council of the Confederation or the Imperial Diet, or a member of the Council of the Confederation or of the Imperial Diet, or any authority, or a public functionary of the Empire, whilst in the exercise of their vocation, or in reference to their vocation, by word, in writing, printing, drawing, figurative, or other representation, will be sentenced and punished in the separate States of the Confederation, according to the existing law, or the laws which may in future be enacted there, in pursuance of which a similar offence committed against that separate State of the Confederation, its Constitution, its Chambers, or Diet, the members of its Chambers or Diet, its authorities or functionaries, would be punished.

ART. LXXV. For those undertakings against the German Empire, mentioned in Article LXXIV, which, if they had been undertaken against one of the separate States of the Confederation, would be qualified as High Treason, or Treason against the

Country, the Common Upper Court of Appeal of the three Free and Hanseatic Towns, at Lubeck, is the competent deciding authority in first and last instance.

The special regulations as to the competency and the procedure of the Upper Court of Appeal are to be settled by way of Imperial legislation. Until the promulgation of an Imperial law, the competency of the Courts in the separate States of the Confederation, and the provisions relative to the procedure of these Courts, remain as they have hitherto been.

ART. LXXVI. Differences between various States of the Confederation, in so far as they are not of a private legal nature, and therefore to be decided by the competent judicial authorities, will, at the suit of one of the parties, be settled by the Council of the Confederation.

Constitutional differences in those States of the Confederation in whose constitution no authority for settling such disputes is provided are to be amicably arranged by the Council of the Confederation at the suit of one of the parties, or if this should not succeed, they are to be settled by way of Imperial legislation.

ART. LXXVII. If, in a State of the Confederation, the case of a refusal of justice should occur, and sufficient aid cannot be obtained by way of law, it is the duty of the Council of the Confederation to take cognizance of the complaints as to the refused or hindered administration of the law when proved according to the Constitution and existing laws of the respective State of the Confederation, and thereupon to cause the Government of the Confederate State which has given occasion for the complaint, to afford judicial aid.

## XIV. *General Stipulations.*

ART. LXXVIII. Alterations in the Constitution take place by way of legislation. They are considered as rejected if they have 14 votes in the Council of the Confederation against them.

Those provisions of the Constitution of the Empire, by which certain rights are established for Separate States of the Confederation in their relation to the community, can only be altered with the consent of the State of the Confederation entitled to those rights.

## No. 445.—*REGULATIONS relative to Duties of Neutrals in time of War. Washington, 8th May,* 1871.

(Article VI of the Treaty of Washington of 8th May, 1871.*)

RULES.

A Neutral Government is bound—

First. To use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any Vessel which it has reasonable ground to believe is intended to cruize or to carry on War against a Power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any Vessel intended to cruize or carry on War as above, such Vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use.

Secondly. Not to permit or suffer either Belligerent to make use of its Ports or Waters as the base of Naval Operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men.

Thirdly. To exercise due diligence in its own Ports and Waters, and, as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties.

* * * * *

And the High Contracting Parties agree to observe these Rules as between themselves in future, and to bring them to the knowledge of other Maritime Powers and to invite them to accede to them.†

* Not given; having no reference to the "Map of Europe."

† A difference of opinion having existed between the British and United States Governments as to the interpretation to be given to these Rules, a correspondence upon the subject passed between those Governments, from June, 1871, to February, 1874, which was laid before Parliament on the 17th July, 1874, and showed that, owing to such difference of opinion, Foreign Powers had not been invited to accede to it.

## No. 446.—*DEFINITIVE TREATY OF PEACE between France and Germany. Signed at Frankfort, 10th May*, 1871.

ART. TABLE.

Preamble. Reference to Preliminaries of Peace of 26th February, 1871.
1. Line of Frontier round the Town and Fortifications of *Belfort* to belong to *France*. Cessions in favour of *Germany*. International Boundary Commission.
2. Choice of Nationality. Retention of Immovable Property. Amnesty.
3. Delivery of Archives and Documents.
4. Reimbursements to be made by *French* Government.
5. Navigation of the *Moselle* and Canals.
6. Religion. Protestant and Jewish Dioceses.
7. Payment of War Indemnity. Value of Prussian Thaler. Conditions of Evacuation upon the payment of 2,000,000,000 Francs.
8. Contributions and Taxes. Maintenance of *German* Troops.
9. Exceptional Treatment granted to the Produce of Industry of the ceded Territories.
10. Prisoners of War. Number of *French* Troops in and around *Paris*.
11. Commerce and Navigation. Most Favoured Nation Treatment. Renewal of Navigation, Railway, and Copyright Treaties, &c. Reservations of *French* Government.
12. Rights of *Germans* expelled from *France*. Naturalisation.
13. Restoration of Maritime Prizes.
14. Canalisation of the *Moselle*.
15. National Treatment to respective Subjects on account of events arising out of the War.
16. Cemeteries.
17. Additional Stipulations reserved for further Negotiations.
18. Ratifications.

*Additional Articles.*

1. Purchase of Railways of the *East* and *Guillaume-Luxemburg*.
2. Purchase by *Prussia* of Rights and Property on *Swiss* Territory of Railways of the *East*.
3. Rectification of Frontier near *Belfort*.

(Translation.)

*Reference to Preliminaries of Peace of 26th February*, 1871.

M. JULES FAVRE, Minister for Foreign Affairs of the French Republic, M. Augustin Thomas Eugène de Pouyer-Quertier, Minister of Finances of the French Republic, and M. Marc Thomas Eugène Goulard, Member of the National Assembly,

stipulating in the name of the French Republic, of the one part;

On the other, Prince Otho de Bismarck-Schœnhausen, Chancellor of the German Empire, Count Harry d'Arnim, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Germany at the Papal Court, stipulating in the name of His Majesty the Emperor of Germany; having agreed to convert into a Definitive Treaty the Preliminaries of Peace of the 26th February of the present year (**No. 438**) modified as it is about to be by the following Dispositions, have agreed:

*Line of Frontier round the Town and Fortifications of Belfort to belong to France.*

ART. I. The distance between the Town of Belfort and the Line of Frontier, such as it had been proposed during the negotiations of Versailles, and such as it is marked on the Map annexed to the Ratifications of the Preliminaries of the 26th February (**No. 438**), is considered as describing the Radius which, by virtue of the Clause relating thereto in Article I of the Preliminaries, is to remain to France with the Town and Fortifications of Belfort.

*Rectification of Frontier. Cession in favour of France.*

The German Government is disposed to extend that Radius so as to include the Cantons of Belfort, Delle, and Giromagny, as well as the western part of the Canton of Fontaine, to the West of a line to be traced from the spot where the Canal from the Rhone to the Rhine leaves the Canton of Delle to the South of Montreux-Chateau, to the Northern Limits of the Canton between Bourg and Félon where that Line would join the Eastern Limit of the Canton of Giromagny.

*Cessions in favour of Germany.*

The German Government will, nevertheless, not cede the above Territories unless the French Republic agrees, on its part, to a rectification of Frontier along the Western Limits of the Cantons of Cattenom and Thionville which will give to Germany the Territory to the East of a Line starting from the Frontier of Luxemburg between Hussigny and Redingen, leaving to France the Villages of Thil and Villerupt, extending between Erronville and Aumetz between Beuvillers and Boulange, between Trieux

and Lomeringen, and joining the ancient Line of Frontier between Avril and Moyeuvre.*

*International Boundary Commission.*

The International Commission, mentioned in Article I of the Preliminaries, shall proceed to the spot immediately after the Ratifications of the present Treaty to execute the Works entrusted to them and to trace the new Frontier, in accordance with the preceding dispositions.

*Choice of Nationality.*

ART. II. French Subjects, Natives of the ceded Territories, actually domiciled on that Territory, who shall preserve their Nationality, shall up to the 1st October, 1872, and on their making a previous Declaration to that effect to the Competent Authority, be allowed to change their domicile into France and to remain there, that right in nowise infringing on the Laws on Military Service, in which case the title of French Citizen shall be maintained.

*Retention of Immovable Property.*

They shall be at liberty to preserve their Immovables situated in the Territory united to Germany.

*Amnesty.*

No Inhabitant of the ceded Territory shall be prosecuted, annoyed, or sought for, either in his person or his property, on account of his Political or Military Acts previous to the War.

*Delivery of Archives and Documents.*

ART. III. The French Government shall deliver over to the German Government the Archives, Documents, and Registers relating to the Civil, Military, and Judicial Administration of the ceded Territories. Should any of the Documents be found missing, they shall be restored by the French Government on the demand of the German Government.

*Reimbursements to be made by French Government.*

ART. IV. The French Government shall make over to the Government of the Empire of Germany within the term of 6 Months dating from the exchange of the Ratifications of this Treaty: 1. The amount of the sum deposited by the Depart-

* See Pages 1954 and 1956.

ments, Communes, and Public Establishments of the ceded Territories. 2. The amount of the premium of Enlistment and Discharge belonging to Soldiers and Sailors natives of the ceded Territory who shall have chosen the German Nationality. 3. The Amount of Security of responsible Agents of the State. 4. The Amount of Sums deposited for Judicial Consignments on account of measures taken by the Administrative or Judicial Authorities in the ceded Territories.

*Navigation of the Moselle and Canals.*

ART. V. The two Nations shall enjoy equal privileges as far as regards the Navigation on the Moselle, the Canal of the Marne to the Rhine, the Canal of the Rhone to the Rhine, the Canal of the Sarre and the Navigable Waters communicating with those channels of Navigation. The Right of Floatage shall be maintained.

*Religion. Protestant and Jewish Dioceses.*

ART. VI. The High Contracting Parties being of opinion that the Diocesan circumscriptions of the Territories ceded to the German Empire must agree with the new Frontier determined upon by Article I above, will consider, without delay, after the Ratification of the present Treaty, upon the measures to be taken in common on the subject.

The Communities belonging either to the Reformed Church or to the Augsburg Confession, established on the Territories ceded by France, shall cease to be under French Ecclesiastical Authority.

The Communities of the Church of the Augsburg Confession established in the French Territories shall cease to be under the Superior Consistories and of the Directors residing at Strasburg.

The Jewish Communities of the Territories situated to the East of the new Frontier shall cease to depend on the Central Jewish Consistory residing at Paris.

*Payment of War Indemnity.**

ART. VII. The payment of 500,000,000 ($\frac{1}{2}$ milliard) shall be made within 30 days after the re-establishment of the Authority of the French Government in the City of Paris. 1,000,000,000 (1 milliard) shall be paid in the course of the year, and 500,000,000 ($\frac{1}{2}$ milliard) on the 1st May, 1872. The last 3,000,000,000 (3 milliards) shall remain payable on the 2nd March, 1874, as stipulated in the Preliminary Treaty (**No. 438**).

* See Note, page 1918.

From the 2nd March of the present year the Interest on those 3,000,000,000 francs (3 milliards) shall be paid each year on the 3rd March, at the rate of 5 per cent. per annum.

All sums paid in advance on the last 3,000,000,000 shall cease to bear Interest from the day on which the payment is made.

The payment can only be made in the principal German Commercial Towns, and shall be made in metal, Gold or Silver, in Prussian Bank Notes, in Netherlands Bank Notes, in Notes of the National Bank of Belgium, in first class Negotiable Bills to Order or Letters of Exchange, payable at sight.

*Value of Prussian Thaler.*

The German Government having fixed in France the value of a Prussian Thaler at 3 francs 75 centimes, the French Government accepts the conversion of the Moneys of both Countries at the rate above stated.

The French Government will inform the German Government, 3 months in advance, of all payments which it intends to make into the Treasury of the German Empire.

*Conditions of Evacuation upon the payment of* 2,000,000,000 (2 *Milliards*).

After the payment of the first 500,000,000 ($\frac{1}{2}$ milliard) and the Ratification of the Definitive Treaty of Peace, the Departments of the Somme, Seine Inférieure, and Eure shall be evacuated in so far as they shall be found to be still occupied by German Troops. The Evacuation of the Departments of the Oise, Seine-et-Oise, Seine-et-Marne, and Seine, as well as the Forts of Paris, shall take place so soon as the German Government shall consider the re-establishment of Order, both in France and Germany, sufficient to ensure the execution of the Engagements contracted by France.

Under all circumstances, the Evacuation shall take place after the payment of the third 500,000,000 ($\frac{1}{2}$ milliard).

The German Troops, for their own security, shall have at their disposal the Neutral Zone between the German line of Demarcation and the Paris enclosure on the Right Bank of the Seine.

The stipulations of the Treaty of 26th February (**No. 438**) relative to the occupation of French Territories after the payment of the 2,000,000,000 (2 milliards), shall remain in force. None of

the deductions which the French Government might have a right to make shall be made on the payment of the first 500,000,000 ($\frac{1}{2}$ milliard).

*Contributions and Taxes.*

ART. VIII. German Troops shall continue to abstain from levying contributions either in kind or money in the occupied Territories; that obligation on their part being correlative to the obligations contracted for their maintenance by the French Government, in case the French Government, notwithstanding the reiterated demands of the German Government, was behindhand in the execution of the said obligations, the German Troops will have the right to procure what is necessary to their wants by levying Taxes and Contributions in the occupied Departments, and even outside of them, should their resources not be sufficient.

*Maintenance of German Troops.*

With reference to the Maintenance of the German Troops, the system actually in force shall be continued until the Evacuation of the Paris Forts.

In virtue of the Convention of Ferrières, of 11th March, 1871.* the reductions pointed out by that Convention shall be put into force after the Evacuation of the Forts.

As soon as the effective of the German Army shall be reduced below the number of 500,000 men, account shall be taken of the reductions made below that number to establish a proportionate diminution in the price of the Maintenance of the Troops paid by the French Government.

*Exceptional Treatment granted to the Produce of Industry of the ceded Territories.*

ART. IX. The exceptional Treatment at present granted to the Produce of the Industry of the ceded Territories for Imports into France, shall be continued for 6 months, from the 1st March, under the conditions made with the Commissioners of Alsace.

*Prisoners of War. Number of French Troops in and around Paris.*

ART. X. The German Government shall continue to deliver up Prisoners of War, making arrangements with the French Government. The French Government shall send to their homes such

* Not given; relating only to Prisoners of War.

of the Prisoners as can be discharged. As for those who shall not have completed their term of service, they shall be sent beyond the Loire. It is understood that the Army of Paris and Versailles, after the re-establishment of the authority of the French Government at Paris, and until the Evacuation of the Forts by German Troops, shall not exceed 80,000 men. Until that Evacuation, the French Government shall not concentrate Troops on the Right Bank of the Loire, but it shall provide Garrisons in the Towns within that circuit, according to the necessities for the maintenance of Public Order and Peace.

As the Evacuation shall proceed, the Commanders of Regiments shall agree together as to a Neutral Circuit between the Armies of the two Nations.

20,000 Prisoners shall be sent without delay to Lyons on condition that they are immediately sent to Algiers, after their organisation, to be employed in that Colony.

*Commerce and Navigation. Most Favoured Nation Treatment.*

ART. XI. The Treaties of Commerce with the different States of Germany having been annulled by the War, the French Government and the German Government will adopt as the basis of their Commercial Relations the system of reciprocal Treatment on the footing of the Most favoured Nation.

Are included therein Import and Export Duties, Transit Dues, Customs Formalities, the admission and treatment of both Nations as well as their Agents.

Shall nevertheless be excepted from the above Rule the favours which one of the Contracting Parties has granted or may grant, by Treaties of Commerce, to other States than the following: Great Britain, Belgium, Netherlands, Switzerland, Austria, Russia.

*Renewal of Navigation, Railway, and Copyright Treaties, &c.*

The Treaties of Navigation as well as the Convention relative to the International Service of Railways in its relation with the Cantons, and the Convention for the reciprocal Guarantee of Literary Works, shall be renewed.

*Reservations of French Government.*

The French Government nevertheless reserves to itself the right of levying Tonnage and Shipping Duties (*Droit de Pavillon*)

on German Vessels and their Cargoes, under the reservation that those Duties shall not be higher than those imposed on Vessels and Cargoes of the above-mentioned Nations.

*Rights of Germans expelled from France.*

ART. XII. All expelled Germans shall preserve the full and entire enjoyment of all Property which they may have acquired in France.

Such Germans who had obtained the authority required by French Laws to establish their Domicile in France shall be reinstated in all their Rights, and may consequently again establish their Domicile in French Territory.

*Naturalisation.*

The delay stipulated by French Laws to obtain Naturalisation shall be considered as not having been interrupted by the state of War for persons who shall take advantage of the above-mentioned facility of returning to France within 6 months after the exchange of the Ratifications of this Treaty, and the time which has elapsed between their expulsion and their return to the French Territory shall be taken into account, as if they had never ceased to reside in France.

The above conditions shall be applicable in perfect reciprocity to the French Subjects residing, or wishing to reside, in Germany.

*Restoration of Maritime Prizes.*

ART. XIII. German Vessels condemned by Prize Courts before the 2nd March, 1871, shall be considered as definitively condemned.

Those not condemned at the above-mentioned date shall be restored with the Cargoes in so far as it still exists. If the restoration of the Vessels and Cargo is no more possible, their value, fixed according to the price of the sale, shall be restored to their Owners.

*Canalisation of the Moselle.*

ART. XIV. Each of the two Parties shall continue on his Territory the Works undertaken for the Canalisation of the Moselle. The Common Interests of the separate parts of two Departments of the Meurthe and the Moselle shall be liquidated.

*National Treatment to respective Subjects on account of events arising out of the War.*

ART. XV. The High Contracting Parties mutually engage to extend to their respective Subjects the measures which they may consider necessary to adopt in favour of those of their Subjects who, in consequence of the events of the War, may have been prevented arriving in time for the safety or the preservation of their Rights.

*Cemeteries.*

ART. XVI. The two Governments, French and German, reciprocally engage to respect and preserve the Tombs of Soldiers buried in their respective Territories.

*Additional Stipulations reserved for further Negotiations.*

ART. XVII. The Regulation of additional Stipulations upon which an understanding is to be come to in consequence of this Treaty and the Preliminary Treaty, will be the object of further Negotiations which shall take place at Frankfort.*

*Ratifications.*†

ART. XVIII. The Ratification of the present Treaty by the National Assembly and by the Chief of the Executive of the French Republic, on the one part, and on the other by the Emperor of Germany, shall be exchanged at Frankfort, in the delay of 10 days, or sooner if possible.

In faith whereof the respective Plenipotentiaries have signed it and affixed thereto the Seal of their Arms.

Done at Frankfort, 10th May, 1871.

(L.S.) JULES FAVRE. (L.S.) BISMARCK.
(L.S.) POUYER-QUERTIER. (L.S.) ARNIM.
(L.S.) DE GOULARD.

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ADDITIONAL ARTICLES. FRANKFORT, 10TH MAY, 1871.

ART. I. *Purchase of Railways of the East and Guillaume-Luxemburg.*

ART. II. *Purchase by Prussia of Rights and Property on Swiss Territory of Railways of the East.*

* See Additional Convention of 12th October, 1871.

† Ratifications exchanged at Frankfort, 20th May, 1871.

*Rectification of Frontier near Belfort.*

ART. III. The Cession of Territory near Belfort, offered by the German Government in Article I of the present Treaty in exchange for the rectification of the Frontier required to the West of Thionville, shall be increased by the Territories of the following Villages: Rougemont, Leval, Petite-Fontaine, Romagny, Félon, La-Chapelle-sous-Rougemont, Angeot, Vauthier-Mont, Rivière, Grasige, Reppe, Fontaine, Frais, Foussemagne, Cunelières, Montreux-Chateau, Brelagne, Chavannes-les-Grands, Chavanatte, and Suarce.

The Giromagny and Remiremont Road, thoroughfare to the Balloon of Alsace, shall remain to France throughout its whole extent, and shall serve as a Limit in so far as it is situated outside the Canton of Giromagny.

Done at Frankfort, 10th May, 1871.

(L.S.) JULES FAVRE.
(L.S.) POUYER-QUERTIER.
(L.S.) DE GOULARD.
(L.S.) BISMARCK.
(L.S.) ARNIM.

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*Accessions to the above Treaty.*

Baden ..... 15th May, 1871.
Bavaria..... 15th May, 1871.
Wurtemberg..... 15th May, 1871.

## No. 447.—*ADDITIONAL CONVENTION to the Treaty of Peace of 10th May, 1871, between France and Germany. Signed at Berlin, 12th October, 1871.*

ART. TABLE.

Preamble.
1 to 9. Customs Regulations for *Alsace-Lorraine.*
10. Retrocessions by *Germany* to *France.*
11. Trade Marks.
12. Ratifications.

(Translation.)

M. AUGUSTIN Thomas Joseph Pouyer-Quertier, Member of the National Assembly, Minister of Finances, and specially appointed by letter from the President of the French Republic, dated 6th October, 1871, Plenipotentiary of the French Republic, stipulating in the name of France, on the one side; on the other side, Prince Otho de Bismarck-Schœnhausen, Chancellor of the German Empire; and Count Harry d'Arnim, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor of Germany at the Papal Court, stipulating in the name of the German Empire, have agreed upon the following:

ARTS. I to IX. *Customs Regulations for Alsace-Lorraine.*

*Retrocessions by Germany to France.*

ART. X. The German Government shall retrocede to France;

1. The Communes of Raon-les-Leau and Raon-sur-Plaine, exclusive of all Domanial Property as well as the Communal and Private Properties enclosed in the reserved Domanial Territory;

2. The Commune of Igney and the part of the Commune of Avricourt situated between the Commune of Igney, as far as and including the Railway from Paris to Avricourt, and the Railway from Avricourt to Cirey.

The French Government shall undertake the expense of a Railway Station to be constructed on Land chosen by the German Government, and which shall be sufficient for Military and Commercial interests as well as to those of Avricourt.

The estimate for that building shall be made by common consent. The German Government will see that it is executed as soon as possible.

Until the termination of the new Station, the German Government reserves to itself the right of continuing the occupation of the Commune of Igney as well as the above-mentioned part of the Commune of Avricourt.

The Boundary Commission will be charged with the delimitation of the new Frontier.

ART. XI. *Trade Marks.*

ART. XII. *Ratifications.*

Done at Berlin, 12th October, 1871.

(L.S.) POUYER-QUERTIER. (L.S.) BISMARCK.
(L.S.) ARNIM.

## No. 448.—*PROTOCOLS OF CONFERENCES between France and Germany. Frankfort, July—December*, 1871.

Protocol.

No. 1. Choice of Nationality. Domiciled Aliens. Choice of Nationality by Minors. Competent Authority to receive the Declaration in ceded Territories. Power to Natives of *Alsace-Lorraine* to return to that Country after choice of *French* Nationality. Freedom of circulation for those who have not yet made their Choice. Question as to their being *French* or *Germans*. Pensions. Doctors and Chemists. Ministerial Offices. Diocesan Circumscriptions and Religious Corporations. Amnesty. Exchange of Criminals and Lunatics. Execution of Contracts, Judgments, &c. Wood-cutting in Forests of the State. Judicial Expenses. Judicial Documents. Mortgages. Archives and Documents. Patents of Invention. Frontier Relations. Maintenance and Cleansing of Waterways; Canals; Concessions of Roads and Rivers. Railways of local interest. Transit. Private Debts of the Treasury. Contributions and Requisitions.
Frankfort, 6th July, 1871.

No. 2. Execution of Judgments. Nationality. Choice by Minors. Freedom of circulation to *Alsace-Lorraines* who have not yet made their Choice. Renewal of Treaties. Trade Marks. Admission of Produce from *Alsace*. Registration and Deposit by Booksellers. Restitution of Funds belonging to Communes. Treasury Accounts of ceded Territories. Local Railways. Desaix Monument at *Strasburg*, &c. Railways sequestered during the War.
Frankfort, 13th July, 1871.

No. 3. Postal Arrangements. Frankfort, 24th July, 1871.

No. 4. Archives and Documents of Railways of the East (*de l'Est*). Nationality. Liberation of *Alsatian* Soldiers.
Frankfort, 26th July, 1871.

No. 5. Stamps of the Mints of *Strasbury*, *Italy*, and *Colmar*. Military Pensions. Arrears of Pensions advanced by *France*. Amnesty Funds. Renewal of Treaties. Definition of the Word *Originaires*. Postal Negotiations. Frankfort, 21st September, 1871.

No. 6. Canal of Salt Works of *Dieuze*. Local Railways. Private Debts of the Treasury. Amnesty Funds. Debts of Communes and Departments. Archives and Documents. Bank of *France*. Amnesty. Machinery for verifying Weights and Measures. Securities and Judicial or Administrative Deposits. Plans and Documents of the Railway of the East.
Frankfort, 26th September, 1871.

Protocol.

No. 7. Railways sequestered during the War. Definition of the Word *Originaires*. Preamble adopted after Amendment of Official Title of President of the Republic. Delay for Choice of Nationality. Pensions. Amnesty Funds. Doctors and Chemists. Ministerial Offices. Religious Corporations. Amnesty.
Frankfort, 19th October, 1871.

No. 8. Pensions. Mutual and Provident Companies. Arrears of Pensions advanced by *France*. Doctors and Chemists. Ministerial Offices. Amnesty. Mortgages. Diocesan Circumscriptions. Patents of Invention. Debts and Credits of ceded Territories. Demands made since the 2nd March. Mixed Commission. Transit. Private Claims. Bank of *France*.
Frankfort, 2nd November, 1871.

No. 9. Mixed Financial Commission. Railways from *Audun* to *Longwy*, and from *Sierck* to *Mettrich*, from *Nancy* to *Chateau-Salins* and *Vic*, from *Avricourt* to *Cirey*. Declarations to be inserted in Final Protocol. Ministerial Offices. Declarations to be inserted in explanatory Protocol. Joint Stock Companies in *Alsace-Lorraine* and in *France*. Life and Fire Insurance Companies.
Frankfort, 4th November, 1871.

No. 10. Definition of the Word *Originaires*. Judicial Expenses. Religious Corporations. Amnesty. Contributions and Demands made since the 2nd March. Bank of *France*.
Frankfort, 7th November, 1871.

No. 11. Final Arrangements. Definition of the Word *Originaires*. Pensions. Ministerial Offices. Diocesan Circumscriptions. Amnesty. *Dieuze* Canal. Contributions and Requisitions. Local Railways. Transit. Postal. *Alsatian* Soldiers. Arrears of Pensions advanced by *France*. Pension Funds, &c. Patents of Invention. Bank of *France*. Sequestrations on Funds. Sequestered Railways. Explanatory Protocol. Frankfort, 24th November, 1871.

No. 12. Definition of the Word *Originaires*. Railways. Pensions. Postal Arrangements. Bank of *France*. Patents of Invention. Judicial Expenses. Frankfort, 28th November, 1871.

No. 13. Ministerial Offices. Requisitions and Contributions. Railways sequestered during the War. Bank of *France*. Transit. Postal Arrangements. Patents of Invention. Railway from *Nancy* to *Chateau-Salins* and *Vic*. Doctors and Chemists. Religious Corporations. Frankfort, 2nd December, 1871.

## No. 449.—*ADDITIONAL CONVENTION to the Treaty of Peace of 10th May, 1871, between France and Germany. Signed at Frankfort, 11th December, 1871.*

ART. TABLE.

Preamble. Reference to Treaty of 10th May, 1871.
1. Choice of Nationality by Natives (*Originaires*) residing out of the ceded Territories.
2. Civil and Religious Pensions. Military Pensions.
3. Execution of Judgments. Judicial Proceedings.
4. Exchange of Criminals. Exchange of Lunatics.
5. Expenses of Criminal Justice.
6. Judicial Documents. Reports of Sentences.
7. Guarantee of Mortgage Rights.
8. Reciprocal restitution of all Titles, Plans, Surveys, and Documents belonging to Communes of new Territories.
9. Diocesan Circumscriptions crossed by the New Frontier.
10. Patents of Invention.
11. Appointment of Financial Commission.
12. Articles free from Export and Import Duties to facilitate the farming of Lands and Forests on Neighbouring Frontiers.
13. Recognition by *German* Government of Concessions of Roads, Canals, and Mines granted by *French* Government and Authorities in ceded Territories. Financial Mixed Commission to take Charge of Accounts of Works on both sides of the Frontier.
14. Payment by *Germany* of Expenses of Canals of the *Sarre*, *Dieuse*, and *Colmar*. Payment of Annuities to Old Subscribers of the Canal of the *Rhone* to the *Rhine*. Financial Mixed Commission to undertake the Accounts. Mixed Commission relative to Canals from the *Rhone* to the *Rhine*, and from the *Marne* to the *Rhine*.
15. Appointment of Mixed Commissions for Maintenance of Frontier Waterways.
16. Railways.
17. Customs Offices on Railways.
18. Renewal of Treaties and Conventions between *France* and *German* States existing before the War. Exceptions. Treaties provisionally applicable to *Alsace-Lorraine*.
19. Ratifications.

### *Closing Protocol.*

1. *French* Soldiers and Sailors to be liberated on making a Declaration of their Choice for *German* Nationality.
2. Reimbursement to *France* of Pensions paid by the *French* Treasury since the 2nd March, 1871.
3. Liquidation of Pension, Provident and other Funds in case one or more of their Members make Choice of *French* Nationality.

TABLE.

ART.

4. Judicial Offices.
5. Patents of Inventions.
6. Reimbursement of Funds belonging to Communes of ceded Territories deposited in the Coffers of *Colmar*, *Strasburg*, and *Metz*.
7. Reimbursement of Securities.
8. Recovery of Debts by *French* Government.
9. Liquidation by Branch Establishments of the Bank of *France* in the ceded Territories. Liquidator to complete his operations within 3 months after the Ratification of the Additional Convention. Withdrawal of Sequestration of Moneys belonging to Bank of *France*, and Restitution in Coin. Ratifications.

*Protocol of Signature.*

*French* Reservations relative to the Right of Felling Timber in the Forests of the States granted during the War on *French* Territory by *German* Civil and Military Authorities. Declaration of *German* Plenipotentiaries relative to the Railway from *Nancy* to *Chateau-Salins* and *Vic*.

*Procès-Verbal of the Exchange of the Ratifications.*

Delivery of Adhesions of *German* States to Article XVIII of the Additional Convention of 11th December, 1871, relative to the renewal of Treaties. Declaration of *German* Ambassador relative to Copyright Conventions and Treaties of Navigation.

(Translation.)

*Reference to Treaty of* 10*th May*, 1871.

THE President of the French Republic, on the one part, and His Majesty the Emperor of Germany on the other part, having determined, in conformity with Article XVII of the Treaty of Peace concluded at Frankfort on the 10th May, 1871 (**No. 446**), to negotiate an Additional Convention to that Treaty, have to that effect appointed as their Plenipotentiaries, namely:

The President of the French Republic, M. Marc Thomas Eugène de Goulard, Member of the National Assembly, and M. Alexandre Johann Henry de Clercq, Minister Plenipotentiary of the First Class; and

His Majesty the Emperor of Germany, M. Weber, Councillor of State of His Majesty the King of Bavaria, and Count Uxkull, Intimate Councillor of Legation of His Majesty the King of Wurtemberg;

Who, after having communicated to each other their Full

Powers, found in good and due form, have agreed upon the following Articles:

ARTS. I to VIII. (See Table.)

*Diocesan Circumscriptions crossed by the New Frontier.*

ART. IX. Until the conclusion of the arrangements alluded to in the first paragraph of Article VI of the Treaty of Peace of 10th May, 1871 (**No. 446**), it is agreed that the Bishops established in the Dioceses crossed by the New Frontier shall preserve, in their entirety, the spiritual authority actually vested in them, and shall remain free to provide for the religious necessities of the populations committed to their charge.

ARTS. X to XIII. (See Table.)

*Payment by Germany of Expenses of Canals of the Sarre, Dieuse, and Colmar.*

ART. XIV. The Canal of the Sarre, the Canal of the Salt Works of Dieuse, and the junction of Colmar, which forms the communication between that town and the Rhine, being entirely included within the Territories ceded to Germany, the latter takes upon herself the payment of the expenses of those 3 canals remaining due.

The Annuities still due on the sum advanced to the French State by the Town of Colmar, and by the manufacturers of the East, shall, dating from 1871, be payable by the German Government.

*Payment of Annuities to Old Subscribers of the Canal of the Rhone to the Rhine.*

The Canal of the Rhone to the Rhine being crossed by the New Frontier, it has been agreed that the 12 Annuities remaining to be paid to the old Subscribers on the purchase of their shares shall be divided between the High Contracting Parties in the proportion of the extent reverting to each of the two Countries.

*Financial Mixed Commission to undertake the Accounts.*

The Commission mentioned in Article XI shall be entrusted with the Accounts of the above mentioned Canals, as well as the liquidation of the Accounts relative to the canalisation of the Moselle, and of the common interests of the separate parts of the Departments of the Meurthe and the Moselle.

The French Government undertakes to furnish the Commission with all Contracts, Documents, &c., necessary for the fulfilment of their labours.

*Mixed Commission relative to Canals from the Rhone to the Rhine, and from the Marne to the Rhine.*

The High Contracting Parties shall appoint Commissioners, who shall be entrusted with the Regulation, in so far as regards the Canal from the Rhone to the Rhine, and the Canal from the Marne to the Rhine, of the supply of the dividing mill-courses.

ARTS. XV to XVII. (See Table.)

*Renewal of Treaties and Conventions between France and German States existing before the War.*

ART. XVIII. Besides the International Arrangements mentioned in the Treaty of Peace* of 10th May, 1871 (**No. 446**), the High Contracting Parties have agreed to renew the different Treaties between France and the German States existing previous to the War, with the reservation of the Declarations of Adhesion, to be supplied by the respective Governments at the time of the exchange of the Ratifications of the present Convention.†

*Exceptions.*

The Special Conventions between France and Prussia, relative to the Canal of the Sarre being excepted.

Neither are the Stipulations of the present Article applicable to Postal relations, which are reserved for a subsequent arrangement between the two Governments.

*Treaties provisionally Applicable to Alsace-Lorraine.*

It is also agreed that the dispositions of the Convention between Baden and France, of the 16th April, 1846, relative to the execution of sentences of the Treaty of Extradition, concluded between France and Prussia, on the 21st July, 1845, and of the Copyright Convention between Bavaria and France, of the 24th March, 1865, shall be provisionally extended to Alsace-Lorraine, and that in matters to which they relate, these three arrangements shall serve as a rule for the relations between France and the ceded Territories.

* Article XI. † See Page 1973.

[Peace.]

*Ratifications.**

ART. XIX. The present Convention, drawn up in French and German, shall be ratified, on the one part by the President of the French Republic, after the approval of the National Assembly; and on the other part by His Majesty the Emperor of Germany, and the Ratifications thereof shall be exchanged in the delay of one month, or sooner, if possible.

In faith whereof the respective Plenipotentiaries have signed it, and have affixed thereto the Seal of their Arms.

Done at Frankfort, 11th December, 1871.

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| (L.S.) E. DE GOULARD. | (L.S.) WEBER. |
| (L.S.) DE CLERCQ. | (L.S.) UXKULL. |

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CLOSING PROTOCOL.

On proceeding to the signature of the Additional Convention to the Treaty of Peace of 10th May, 1871 (**No. 446**), concluded between them this day, the undersigned Plenipotentiaries made the following Declarations:

ARTS. I to IX. (See Table.)

Frankfort, 11th December, 1871.

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| (L.S.) E. DE GOULARD. | (L.S.) WEBER. |
| (L.S.) DE CLERCQ. | (L.S.) UXKULL. |

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PROTOCOL OF SIGNATURE.

*French Reservations relative to the Right of Felling Timber in the Forests of the States granted during the War on French Territory by the German Civil and Military Authorities. Declaration of German Plenipotentiaries, relative to the Railway from Nancy to Chateau-Salins and Vic.*

Frankfort, 11th December, 1871.

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|---|---|
| (L.S.) E. DE GOUDARD. | (L.S.) WEBER. |
| (L.S.) DE CLERCQ. | (L.S.) UXKULL. |

* Ratifications exchanged at Paris, 11th January, 1872.

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[Peace.]

PROCÈS-VERBAL ON THE EXCHANGE OF THE RATIFICATIONS.

*Delivery of Adhesions of German States to Article XVIII of the Additional Convention of* 11*th December*, 1871, *relative to the Renewal of Treaties.*

*Declaration of German Ambassador, relative to Copyright Convention and Treaties of Navigation.*

Paris, 11th January, 1872.

(L.S.) REMUSAT. (L.S.) ARNIM.

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*Adhesions of German States to Article XVIII of the above Convention relative to the Renewal of Treaties.*

| | |
|---|---|
| Anhalt ..... | (No date) |
| Baden ..... | 1st January, 1872 |
| Bavaria ..... | 1st January, 1872 |
| Bremen ..... | 2nd January, 1872 |
| Hamburgh..... | 8th January, 1872 |
| Hesse-Darmstadt..... | 8th January, 1872 |
| Lubeck ..... | 8th January, 1872 |
| Mecklenburg-Schwerin.. | 6th January, 1872 |
| Mecklenburg-Strelitz .. | 8th January, 1872 |
| Oldenburg..... | 7th January, 1872 |
| Prussia ..... | 6th January, 1872 |
| Saxony ..... | 7th January, 1872 |
| Saxe-Weimar..... | 6th January, 1872 |
| Wurtemberg ..... | 4th January, 1872 |

## No. 450.—*FINAL PROTOCOL OF CONFERENCE between the Delegates on the Rules of Military Warfare. Brussels, 27th August, 1874.*

(Translation as laid before Parliament.)

THE Conference assembled at Brussels,* on the invitation of the Government of His Majesty the Emperor of Russia, for the purpose of discussing a Project of International Rules on the Laws and Usages of War, has examined the Project submitted to it in a spirit in accordance with the elevated sentiment which had led to its being convoked, and which all the Governments represented had welcomed with sympathy.

This sentiment had already found expression in the Declaration exchanged between the Governments at St. Petersburgh in 1868 (**No. 414**), with reference to the exclusion of Explosive Bullets.

It had been unanimously declared that the progress of civilization should have the effect of alleviating, as far as possible, the calamities of War; and that the only legitimate object which States should have in view during War is to weaken the enemy without inflicting upon him unnecessary suffering.

These principles met at that time with unanimous approval. At the present time the Conference, following the same path, participate in the conviction expressed by the Government of His Majesty the Emperor of Russia, that a further step may be taken by revising the laws and general usages of War, whether with the object of defining them with greater precision, or with the view of laying down, by a common agreement, certain limits which will restrain, as far as possible, the severities of War.

War being thus regulated would involve less suffering, would be less liable to those aggravations produced by uncertainty, unforeseen events, and the passions excited by the struggle; it would tend more surely to that which should be its final object, viz., the re-establishment of good relations, and a more solid and lasting Peace between the Belligerent States.

The Conference could respond to those ideas of humanity in no better way than by entering in the same spirit into the examination of the subject they were to discuss.

* Conferences were held at Brussels from the 27th July to the 27th August, 1874.

The modifications which have been introduced into the Project, the comments, the reservations, and separate opinions which the Delegates have thought proper to insert in the Protocols, in accordance with instructions, and the particular views of their respective Governments, or their own private opinions, constitute the *ensemble* of their work. It is of opinion that it may be submitted to the respective Governments which it represents, as a conscientious inquiry of a nature to serve as a basis for an ulterior exchange of ideas, and for the development of the provisions of the Convention of Geneva of 1864 (**No. 365**), and of the Declaration of St. Petersburgh of 1868 (**No. 414**). It will be their task to ascertain what portion of this work may become the object of an agreement, and what portion requires still further examination.

The Conference, in concluding its work, is of opinion that its debates will have in every case thrown light on those important questions, the regulations of which, should it result in a general agreement, would be a real progress of humanity.

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|---|---|
| For Russia ..... | Privy Counsellor BARON A. JOMINI.<br>Major-General H. LEER. |
| „ Germany ..... | Counsellor de Cour Dr. MARTENS.<br>Major-General VON VOIGTS-RHETZ.<br>Major-General VON LEONROD.<br>Major BARON VON WELCK.<br>Counsellor of State BARON VON SODEN.<br>Dr. BLUNTSCHLI. |
| „ Austria-Hungary | B. CHOTEK.<br>BARON VON SCHÖNFELD, Major-Gen. |
| „ Belgium ..... | BARON LAMBERMONT.<br>CH. FAIDER.<br>MOCKEL. |
| „ Denmark ..... | P. VEDEL.<br>Colonel H. BRUN. |
| „ Spain ..... | DUKE OF TETUAN.<br>General SERVERT.<br>Rear-Admiral DE LA PEZUELA. |
| „ France ..... | BARON BAUDE.<br>General E. ARNAUDEAU. |
| „ Great Britain .. | A. HORSFORD, Major-General.* |

* See note next page.

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| For Greece ..... | N. MANOS. |
| „ Italy ..... | ALBERT BLANC.<br>C. LANZA. |
| „ Netherlands .... | VAN LANSBERGE.<br>VAN DER SCHRIECK. |
| „ Portugal ..... | M. D'ANTAS.<br>General A. PALMEIRIM. |
| „ Sweden and Norway ..... | F. M. STAAFF. |
| „ Switzerland .... | HAMMER, Federal Colonel. |
| „ Turkey ..... | CARATHEODORY.<br>J. EDHEM. |

[On the 28th September, 1874, a Circular was issued to the British Representatives to the Governments represented at the Conference, pointing out the reservation attached by Her Majesty's Government to their acquiescence in the British Delegate joining the other Delegates in signing the Final Protocol; and stating that Her Majesty's Government desired it to be distinctly understood that by this acquiescence they did not endorse any of the conflicting opinions expressed at the Conference, or accept the Rules annexed to the Protocol. These Rules were laid before Parliament in 1874.]

**No. 451.**—*REPLY of the British Government to the Russian Circular of 26th September*, 1874, *containing Proposals for further Steps to be taken with regard to the Project for altering the Laws and Usages of War. London, 20th January*, 1875.

*The Earl of Derby to Lord A. Loftus.*

(Extract.) *London, 20th January*, 1875.

A CAREFUL consideration of the whole matter has convinced Her Majesty's Government that it is their duty firmly to repudiate, on behalf of Great Britain and her Allies in any future War, any Project for altering the principles of International Law upon which this Country has hitherto acted, and above all to refuse to be a Party to any Agreement, the effect of which would be to facilitate aggressive Wars, and to paralyse the patriotic resistance of an invaded People.

DERBY.

# APPENDIX.

## LIST OF PAPERS.


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| **1660.** | | |
| 12th Nov. | Boundary Convention between France and Spain. (Llivia.) | 1984 |
| **1661.** | | |
| 23rd June. | Treaty between Great Britain and Portugal. Protection, &c., to Portugal. (London.) | 1984 |
| **1703.** | | |
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| 11th April. | Treaty of Peace between France and Portugal. (Utrecht.) | 1988 |
| **1735.** | | |
| 3rd Oct. | Treaty of Peace between Austria and France. (Vienna.) | 1990 |
| **1740.** | | |
| 4th May. | Convention between Poland and Saxony. House of Schoenburg. (Dresden.) | 1990 |
| **1748.** | | |
| 18th Oct. | Definitive Treaty of Peace between Great Britain and Netherlands. (Aix-la-Chapelle.) | 1993 |
| **1751.** | | |
| 2nd Oct. | Treaty between Denmark and Norway and Sweden. Boundary between Norway and Sweden. (Strömstad.) | 1997 |
| 4th Oct. | Treaty between Austria and Sardinia. Settlement of Differences. (Milan.) | 1999 |
| **1754.** | | |
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| 25th Mar. | Treaty of Alliance against Bonaparte. (Vienna.) | 2058 |
| 30th Mar. | Additional Articles between Prussia and Russia. Claims of Duchy of Warsaw. (Vienna.) | 2060 |
| 7th April. | Austrian Proclamation. Union of Lombardo-Venetian Kingdom to Austria. (Vienna.) | 2061 |
| 28th May. | Territorial Convention between Austria, Bavaria, and Prussia. (Creuznach.) | 2062 |
| 31st May. | Separate and Secret Article between Nassau and Prussia. Territorial Cessions. (Vienna.) | 2063 |
| 7th June. | Territorial Treaty between Prussia and Sweden. (Vienna.) | 2064 |
| 12th June. | Territorial Convention between Austria and Prussia. (Vienna.) | 2068 |
| 16th Oct. | Territorial Treaty between Prussia and Hesse-Rothenburg. (Cassel.) | 2068 |
| **1820.** | | |
| Oct.-Dec. | Conferences between Great Britain, Austria, France, Prussia, and Russia. Affairs of Naples. (Troppau.) | 2068 |

| | | PAGE |
|---|---|---|
| **1821.** | | |
| Jan.-Feb. | Conferences between Great Britain, Austria, France, Prussia, and Russia. Affairs of Naples. (Laybach.) | 2069 |
| **1827.** | | |
| Aug.-Dec. | Protocols between Great Britain, France, and Russia. Pacification of Greece. (Constantinople.) | 2069 |
| **1827-1830.** | Protocols between Great Britain, France, and Russia. Pacification of Greece. (London.) | 2069 |
| **1830-1833.** | Protocols and Correspondence between Great Britain, Austria, France, Prussia, and Russia. Affairs of Belgium | 2069 |
| **1841.** | | |
| 12th Feb. | Firman of Sultan of Turkey. Hereditary Succession, &c., in Egypt | 2069 |
| May. | Firman of Sultan of Turkey. Tribute to be paid by Egypt | 2070 |
| 1st June. | Firman of Sultan of Turkey. Hereditary Succession, &c., in Egypt | 2070 |
| **1846.** | | |
| 23rd Nov. | Views of British Government. Inviolability of Treaties. (London.) | 2070 |
| **1848.** | | |
| 10th Oct. | Views of British Government. Proposed European Congress. (London.) | 2070 |
| **1857.** | | |
| Feb.-Mar. | Protocols between Great Britain, &c., and Denmark. Sound Dues. (Copenhagen.) | 2072 |
| 14th Mar. | Protocol between Great Britain, &c., and Denmark. Sound Dues. (Copenhagen.) | 2072 |
| **1860-1861.** | Protocols between Great Britain, &c., and Turkey. Restoration of Tranquillity in Syria. (Paris.) | 2072 |
| ,, | Protocols of Commissioners of Great Britain, Austria, France, Prussia, and Turkey. Disturbances in Syria. (Beyrout.) | 2072 |
| **1862.** | | |
| 15th Dec. | Joint Note. No Members of Imperial or Royal Families of Great Britain, France, and Russia to accept or wear Crown of Greece | 2073 |
| **1866.** | | |
| 27th May. | Firman of Sultan of Turkey. Order of Succession in Egypt | 2073 |
| 4th June. | Russian and Turkish Declaration. Inviolability of Treaties. (Paris.) | 2073 |
| 15th June. | Firman of Sultan of Turkey. Regency in Egypt | 2073 |
| **1867.** | | |
| 8th June. | Firman of Sultan of Turkey. Succession in Egypt, &c. | 2074 |
| **1869.** | | |
| 29th Nov. | Firman of Sultan of Turkey. Levy of Taxes. Contracts for Loans in Egypt | 2074 |
| **1873.** | | |
| 8th June. | Firman of Sultan of Turkey. Succession in Egypt. Regency. Finances. Commercial Treaties. Loans. Troops. Coinage. Building Vessels. Flags. Tribute | 2074 |

# APPENDIX.

*TREATY between France and Monaco, for the Recovery and Protection of Monaco and its Fortress. Signed at Peronne, 14th September, 1641.*

[Referred to at page 533.]

ART. TABLE.

Preamble.

1. French Garrison of 500 Soldiers to hold the place. The Prince of *Monaco*, as well as his Heirs and Successors, to be the Captain and Governor of the Place in the name of the King.
2. Lieutenant in command of the Place to be appointed by the King.
3. In case of War, and the necessity of increasing the number of Troops, they are still to be under the Orders of the Prince.
4. Oath to be taken by Lieutenant and Officers to keep the Place for the Prince, under the Protection of the King.
5. Garrison to be paid by the King; Officers and Soldiers paying for their lodgings, &c.
6. Prince to preserve his Sovereignty over *Monaco*, *Mentone*, and *Roccabruna*, without any interference from the Garrison, which shall only protect the Place.
7. *French* Subaltern Officers, &c., appointed by the King to be under the Orders of the Prince as Governor.
8. *French* Protection and perpetual safeguard of *Monaco*. Maintenance of Sovereignty of the Prince, and Rights and Privileges by Sea and Land. Right of Prince to hoist the *French* Flag.
9. Annual Allowance to the Prince of 25,000 Crowns in Lands, &c., for loss of his Possessions in the Kingdom of *Naples*, the State of *Milan* and elsewhere. On restitution of any part by *Spain*, deduction to be made in proportion.
10. Order of St. Michael and the Holy Ghost to be given to the Prince and to his Son for their loss of the Orders of the Golden Fleece and of Alcantara, as well as an equivalent for the loss by his Son of the Command of *Brufaiant* in *Castila*.
11. Pay of 12 Soldiers to be allowed to the Son of the Prince.
12. Privileges formerly granted by *France* to Princes of *Monaco*, confirmed.
13. *French* Galleys to be established in the Port of *Monaco*, to obey Orders of the Prince.
14. The King to take the Prince and his Son into his Service when required.
15. Observance of above Conditions by the King.

(Translation.*)

UPON the representation made to the King by the Prince of Monaco, that although he still holds in Sovereignty the said Place and Fortress of Monaco, the Spaniards nevertheless, under divers pretences, have in a certain measure taken possession of the said Place, having usurped therein such a power, that it is no longer in the free possession of the said Prince. And having for that reason entreated His Majesty to take it under his Protection, and to deliver it from the oppression under which it suffers, His said Majesty, actuated by the sole consideration of Justice, which obliges him to make use of the power which God has placed in his hands, to assist Princes, his neighbours, in preserving that which belongs to them, and to maintain public tranquillity, after several appeals made to him by the said Prince, has considered that he could not refuse his Protection, under the conditions proposed by the Prince himself, which are as follows:

Articles 1 to 15 (see Table).

Done at Péronne, 14th September, 1641.

(L.S.) LOUIS.

BOUTHILLIER.

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## *TREATY OF PEACE between France and Spain. Signed at l'Isle des Faisans, 7th November,* 1659.

[Referred to at page 1648.]

ART. TABLE.

42. *Pyrenees* to form Boundary between *France* and *Spain.* Counties of *Roussillon* and *Conflans* to belong to *France. Spain* to possess the County of *Cerdaña,* and the Principality of *Catalonia.*

(Translation.†)

*Pyrenees to form Boundary between France and Spain. Counties of Roussillon and Conflans to belong to France. Spain to possess the County of Cerdaña and the Principality of Catalonia.*

ART. XLII. And so far as regards the Countries and Places which the Arms of France occupied in that War, on the side of

* For French version, see "State Papers," vol. iv, p. 909.

† For French version, see "State Papers," vol. lvi, p. 221.

Spain: as it would have been agreed in the negotiation begun at Madrid in the year 1656, upon which the present Treaty is founded, that the Pyrenean Mountains which had formerly divided the Gauls from the Spains shall also from henceforth form the division of the two same Countries; it has been agreed and allowed, that the said Most Christian King shall remain in possession, and shall effectually enjoy, the whole of the County and Territory of Roussillon, and of the County and Territory of Conflans, Countries, Towns, Places and Castles, Burghs, Villages, and Places comprising the said Counties and Viguerie of Roussillon and Conflans; and the Catholic King shall continue in possession of the Country and Territory of Cerdaña and the whole of the Principality of Catalonia, with the Territories, Places, Towns, Castles, Hamlets, and countries composing the said County of Cerdaña and Principality of Catalonia: It is well understood, that if any part of the said County and Territory of Conflans only and not of Roussillon is found to be in the said Pyrenean Mountains on the side of Spain, it shall also remain in the possession of His Catholic Majesty: so likewise if any part of the said County and Territory of Cerdaña only, and not of Catalonia, is found to be in the said Pyrenean Mountains on the side of France, it shall remain in the possession of His Most Christian Majesty. And in order to agree upon the division, Commissioners shall be appointed on either side, who together and in good faith shall declare which of the Pyrenean Mountains, according to the meaning of this Article, shall in future divide the two Kingdoms, and shall describe the Limits which they must possess: and the said Commissioners shall assemble on the premises at Cortes one Month after the signature of the present Treaty, and within the term of another Month shall have agreed and declared by common consent as above. It being well understood, that if at that time they shall not have been able to come to an Agreement, they shall immediately send the reasons of their opinions to the two Plenipotentiaries of the two Kings, who having taken into consideration the difficulties and differences which have arisen, shall agree together on the point, without on that account being able to renew hostilities.

## *BOUNDARY CONVENTION between France and Spain. Signed at Llivia, 12th November, 1660.*

[Referred to at page 1648.]

TABLE.

Villages of the Country of *Cerdaña* which are to remain in the possession of *France*—*Carol, Enveig, Ur,* and *Flori, Villeneuve* and *Escaldas, Dorras, Augustrina, Targasone, Palmarie, Egat, Odello, Via, Bolqueras, Vilar de Ovanza, Estavar, Bajanda, Sallagosa, Ro, Vedrinians, La Perxa, Ruet, Llo, Eyna, St. Pere del Forcats, St. Leocadia* and *Llus, Er, Planes, Caldegas* and *Onzes, Navia, Oseja, Palau, Iz.* The Limit at *Iz* to be formed by the River of that name until it reaches *Aye,* which shall belong to *Spain*; half of the River and half of the Bridge of *Livia,* facing *Paysorda,* to belong to *Spain,* the other half facing *Livia* or the *Col de Perxa* to belong to *France. Livia* and its Bailiwick to belong entirely to *Spain,* on condition that no Fortifications are erected therein.

Done and concluded at Llivia, 12th November, 1660.

(L.S.) HYACINTE SERRONI.

(L.S.) MIGUEL DE CALBA ET VALLGORNERA.

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## *TREATY between Great Britain and Portugal. Signed at Whitehall, 23rd June, 1661.*

[Referred to at page 760.]

ART. TABLE.

15. Protection to be afforded to *Portugal* by *Great Britain.*
16. Assistance to be granted by *Great Britain* to *Portugal* in case of Invasion or attack by Pirates.
17. Assistance to be given to *Portugal* by *Great Britain* in case of *Lisbon,* &c., being besieged or blockaded.

*Secret Article.*

*Great Britain* to defend *Portuguese* Colonies, to mediate between *Portugal* and her Enemies, and to recover from the Dutch whatever Towns, &c., they may capture.

*Protection to be offered to Portugal by Great Britain.*

ART. XV. In consideration of all which grants and Privileges, so much to the Benefit of the King of Great Britain and his Subjects in general, and of the delivery of those important Places to His said Majesty and His Heirs for ever, whereby the greatness of his Empire is so far extended; and even in consideration of the portion itself, which far exceeds the proportion that hath

ever yet been given to any Daughter of Portugal; the King of Great Britain doth profess and declare, with the consent and advice of his Council, that he will take the interest of Portugal and all its Dominions to heart, defending the same with his utmost power by sea and land, even as England itself; and that he will transport thither, at his proper costs and charges, two Regiments of Horse, each Regiment consisting of 500, and two Regiments of Foot, each consisting of 1,000, all which shall be armed at the charge of the King of Great Britain; but after they are landed in Portugal, shall be paid by the King of Portugal; and in case the said Regiments come to be diminished by fight, or otherwise, the King of Great Britain shall be obliged to fill up the number at his own charge; and that he shall cause the said Regiments to be transported as soon as the Lady Infanta shall arrive in England, if it be so desired by the King of Portugal.

*Assistance to be granted by Great Britain to Portugal in case of Invasion or Attack by Pirates.*

ART. XVI. The King of Great Britain doth also promise, with the advice and consent of his Council, that when and so often as Portugal shall be invaded, he will send thither (being thereunto desired by the King of Portugal) 10 good Ships of War; but when, and so often as it shall be infested by Pirates, 3 or 4 Ships; all sufficiently manned, and victualled for 8 months, from the time of their setting sail from England, to obey the orders of the King of Portugal. And if it shall be required that they stay above 6 months there, the King of Portugal shall be obliged to victual them for so long a time as they are to stay; and to put in one month's victuals at the time they are to set sail for England: but if the King of Portugal shall be pressed in any extraordinary manner by the power of the Enemies, all the King of Great Britain's Ships, which shall at any time be in the Mediterranean Sea, or at Tangier, shall have Instructions, in such cases, to obey any Orders they shall receive from the King of Portugal, and shall betake themselves to his succour and relief. And in regard of the above mentioned concessions, and grants of the King of Portugal, His Majesty of Great Britain, his Heirs and Successors, shall not at any time require any thing for these succours.

*Assistance to be given to Portugal by Great Britain in case Lisbon, &c., being besieged or blockaded.*

ART. XVII. Besides the Levies the King of Portugal hath liberty to make by virtue of past Treaties, the King of Great Britain, doth oblige himself by this present Treaty, that in case Lisbon, Porto, or any other Sea Town, shall be besieged or blocked up by the power of Castile, or any other Enemy, he will afford timely assistance of Men and Shipping, according to the exigence of the circumstances, and proportionable to the necessity of the King of Portugal.

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SECRET ARTICLE.

*Great Britain to Defend Portuguese Colonies, to Mediate between Portugal and her Enemies, and to recover from the Dutch whatever Towns, &c., they may Capture.*

Over and above all and singular agreed and concluded in the Treaty of Marriage between the Most Serene and Most Powerful, Charles, the Second of that Name, King of Great Britain, and the most Virtuous and Serene Lady Catherine, Infanta of Portugal.

It is by this Secret Article concluded and accorded, that His Majesty of Great Britain, in regard of the great advantages and increase of Dominion he hath purchased by the above-mentioned Treaty of Marriage, shall promise and oblige himself, as by this present Article he doth, to defend and protect all Conquests or Colonies belonging to the Crown of Portugal, against all his Enemies, as well future as present: moreover, His Majesty of Great Britain doth oblige himself to mediate a good Peace between the King of Portugal and the States of the United Provinces, and all Companies or Societies of Merchants subject unto them, upon conditions convenient, and becoming the mutual interest of England and Portugal; and in case such a Peace ensue not, then His Majesty of Great Britain shall be obliged to defend, with Men and Ships, the said Dominions and Conquests of the King of Portugal. In case also that any Towns, Forts, Castles, or any other Places, shall be taken by the Dutch, after the 1st of May this present year 1661, then His Majesty of Great Britain doth promise and engage to oblige the Dutch to a full and perfect restitution thereof. His Majesty of Great Britain doth moreover oblige himself to send, the next Monsoon

ensuing after the Ratification of the Treaty of Marriage, and this Article, a convenient succour to the East Indies, proportionable to the necessity of Portugal, and strength of our Enemies. It being declared, that His Majesty nor his Successors shall not at any time require any pay or satisfaction for the same.

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## *TREATY between Great Britain, Holland, and Portugal. Signed at Lisbon, 16th May, 1703.*

[Referred to at page 760.]

ART. TABLE.

1. Confirmation of Treaties.
2. *Great Britain* and *Holland* to use friendly offices to prevent War being made by *France* or *Spain* against *Portugal.*
3. *Great Britain* and *Holland* to wage War against *France* and *Spain* should negotiations for Peace fail.

*Renewal of Treaties.*

ART. I. All former Treaties between the above said Powers are hereby approved, confirmed, and ratified, and are ordered to be exactly and faithfully observed, except in so far as by the present Treaty is otherwise provided and established, so that there shall be between the said Kingdoms and States, their People and Subjects, a sincere friendship and perfect amity: they shall all of them mutually assist one another; and each of the said Powers shall promote the interest and advantage of the rest, as if it were his own.

*Great Britain and Holland to use friendly Offices to prevent War being made by France or Spain against Portugal.*

ART. II. If ever it shall happen that the Kings of Spain and France, either the present or future, both of them together, or either of them separately, shall make War, or give occasion to suspect that they intend to make War upon the Kingdom of Portugal, either on the Continent of Europe or in its Dominions beyond Seas, Her Majesty the Queen of Great Britain, and the Lords the States-General, shall use their friendly offices with the said Kings, or either of them, in order to persuade them to observe the terms of Peace towards Portugal, and not to make War upon it.

*Great Britain and Holland to wage War against France and Spain should Negotiations for Peace fail.*

ART. III. But these good offices not proving successful, but

altogether ineffectual, so that War should be made by the aforesaid Kings, or by either of them upon Portugal, the above-mentioned Powers of Great Britain and Holland, shall make War, with all their force, upon the aforesaid Kings or King, who shall carry hostile arms into Portugal, and, towards that War which shall be carried on in Europe, they shall supply 12,000 men, whom they shall arm and pay, as well when in quarters as in action; and the said High Allies shall be obliged to keep that number of men complete, by recruiting it from time to time at their own expense.

## *TREATY OF PEACE between France and Portugal. Signed at Utrecht, 11th April, 1713.*

[Referred to at pages 269 and 530.]

ART. TABLE.

8. Renunciation of *France* to the Territories of *Cape du Nord.*

(Translation.*)

*Renunciation of France to the Territories of Cape du Nord.*

ART. VIII. In order to prevent all possibility of Discord which might arise between the Subjects of the Crown of France and those of the Crown of Portugal, His Most Christian Majesty will renounce for ever, as he renounces by the present Treaty, in the strongest and most authoritative terms, and with all the necessary Clauses, as if they were herein inserted, as well in his Name as in that of his Heirs and Successors, to all Rights and Pretensions which he may or might pretend to over the Territories of Cape du Nord, and situated between the River Amazons and that of Japoc, or of Vincent Pinson, without reserving to himself or retaining any portion of the said Territories, so that they may henceforth be possessed by His Portuguese Majesty, his Heirs and Successors, with all the Rights of Sovereignty, of absolute Power and entire Dominion as forming part of his States; and that they shall belong to him in perpetuity, in such manner that his said Portuguese Majesty, his Heirs and Successors shall never be molested in the said Possession by His Most Christian Majesty or his Heirs and Successors.

* For French version see "State Papers" vol. iv, p. 818.

## *GUARANTEE of Great Britain of the Treaty of Peace made at Utrecht, 6th February, 17$\frac{14}{15}$, between the Crowns of Spain and Portugal. London, 3rd May, 1715.*

[Referred to at page 760.]

GEORGE, by the Grace of God, &c., to all and singular to whom these present letters shall come greeting. Whereas the Most Serene King of Portugal has notified to us, that Peace is established between him and the Most Serene King of Spain, by a Treaty concluded at Utrecht, on the 6th day of the month of February last past; and has also invited us, that, pursuant to what the late Queen Anne of pious memory, our most dear Sister and Cousin, undertook, we would engage our promise and guarantee for the performance of the said Treaty, and all and every the Articles thereof. And whereas Joseph da Cunha Brochado, Ambassador Extraordinary, and Councillor of the said Most Serene King of Portugal, has, on the part of his Master, delivered to us a Copy in due form of the said Treaty, the guarantee or engagement for the performance of which is desired of us, written in the Portuguese Language, and being word for word as hereunder follows:

IN THE NAME OF THE MOST HOLY TRINITY.

Know all present and to come, that the greatest part of Christendom having been afflicted with a long and bloody War, &c.

We, following the steps of our Royal Ancestors, and being unwilling to decline any offices by which the Peace between the said Kings may be promoted, do therefore most readily engage for the preservation of the Treaty now established; gladly taking this occasion to satisfy His Royal Majesty of Portugal of our friendship and sincere regard to his Person and Interests, agreeable to the most strict concord which has always been between the British and Portuguese Crowns. We have therefore made ourselves Guarantees and Sureties of the said Treaty of Peace, as by these Presents, in the most due and ample form, we do make ourselves Guarantees and Sureties thereof; engaging and promising on our Royal word, to take care (as far as in us lies) that the said Treaty, with all and every the Articles and Clauses in it, shall be sacredly and inviolably observed according to their genuine sense, and that nothing shall be in anywise contrary thereunto; and that we will be always ready to enter into all

such reasonable measures as shall appear most necessary and effectual for preserving the same from all violation.

In witness whereof, we have caused Our Great Seal of Great Britain to be affixed to these Presents, signed with Our Royal Hand. Given at Our Palace at St. James's, on the 3rd of May, in the year of Our Lord 1715, and of Our Reign the First.

GEORGE R.

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## *TREATY OF PEACE between Austria and France. Signed at Vienna, 3rd October,* 1735.

[Confirmed by Vienna Congress Treaty of 9th June, 1815. **No. 27**, Art. 100, page 266.]

| ART. | TABLE. |
|---|---|
| 2. | Succession to Grand Duchy of *Tuscany.* Guarantee by the Powers. |

*Succession to Grand Duchy of Tuscany.*

ART. II. The Grand Duchy of Tuscany, after the death of the present holder, shall belong to the House of Lorraine to indemnify it for the Duchies which it now possesses.

*Guarantee by the Powers.*

All the Powers which take part in the Pacification will guarantee its eventual Succession to him. The Spanish Troops shall be withdrawn from the Strongholds of that Grand Duchy, and an equal number of Imperial Troops shall replace them, solely for the security of the above-mentioned eventual Succession, and in the same manner as it has been stipulated in the Quadruple Alliance, without reference to Neutral Garrisons.

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## *CONVENTION between Poland and Saxony, and Schoenburg, relative to the Lordships of the House of Schoenburg. Signed at Dresden, 4th May,* 1740.

[Referred to at pages 147, 148, and 963.]

| SECT. | TABLE. |
|---|---|
| 3. | Right of *Schoenburg* to Lordships of *Glaucha, Waldenburg,* and *Lichtenstein.* |

SECT. TABLE.

7. Royal Mine in the Lordship of *Schoenburg* to remain in the possession of *Saxony*.
11. Feudal Service to be rendered by *Schoenburg* to *Saxony*.
12. Right of public River, together with the Royal Stream, to belong to *Saxony*. Right of Fishing and of Water-mills to belong to *Schoenburg*.
14. Counts, Lords of *Schoenburg*, to appear at all the Electoral Diets of *Saxony*, among the other Counts and Lords.
16. Recognition by *Saxony* of Title of Count of the Empire to Counts and Lords of *Schoenburg*.
17. Existing Feudal Laws of the Lordships of *Schoenburg* not to be interfered with.
18. Imperial Privileges of the Counts, Lords of *Schoenburg*.
19. Special Rights of Counts and Lords of *Schoenburg*.

ART.

1. Legislative Rights.
2. Ecclesiastical and Religious Rights.

*Additional Convention.*

1. Confirmation of the Counts, Lords of *Schoenburg*, in the Lower Countship of *Hartenstein* and Lordship of *Stein*, with certain reservations. Fief and Investiture to be conferred without delay on said Counts. Counts, Lords of *Schoenburg*, to acknowledge *Saxon* Electoral Feudal Sovereignty and Dominion over the said Countships and Lordships.
2. Privileges granted by *Saxony* relative to the Lower Countship of *Hartenstein* and Lordship of *Stein*.
3. Mines in Upper and Lower *Hartenstein*.

(Translation.)

As His Most Serene Highness, the great and powerful Prince and Lord, Frederic Augustus, King of Poland, Grand Duke in Lithuania, in Russia, in Prussia, Mazovia, Samogitia, Knovia, Volhinia, Podolia, Podlachia, Liefland, Engern, and Westphalia, High Marshal and Electoral Prince of the Holy Roman Empire, Landgrave in Thuringia, Margrave in Middle, as well as in Upper and Lower Lausitz, Burgrave in Magdeburg, Princely Count in Henneberg, Count of the March, Ravensberg, Barby and Hanau, Lord of Ravenstein,—has been often urgently solicited, by the high and nobly born Lord, Otto Wilhelm, Lord August Siegfried, Lord Constantine, Lord Otto Ernst, Lord Franz Heinrich, Lord Gottfried Ernst, Lord Gustav Ernst, Lord Albrecht Carl Friederick, Lord Friederick Albert, and Lord Wilhelm Christian, all of them Counts, Lords of Schoenburg, Glaucha and Waldenburg, as well as of the Lower Countship of Hartenstein and Lordship of Lichtenstein,—for an amicable settlement of the differences existing between the High Electoral House of Saxony and the family of Schoenburg, on account of their Bohemian fiefs, Glaucha,

Waldenburg, and Lichtenstein, which, being situated within Electoral Saxony, have always been considered by the latter as forming a part of its dominions;—and as, in consequence of negotiations entered into, it has been determined that all these differences should be completely removed, an understanding come to upon all and every point, and an agreement concluded, which, from this time forward, shall settle all the differences between His Most Serene Highness the King of Poland, Elector of Saxony, and the before-named Counts of Schoenburg themselves, their Heirs and Successors:

Therefore,

*Right of Schoenburg to Lordships of Glaucha, Waldenburg, and Lichtenstein.*

3. Next, as regards the Supreme High Jurisdiction and the *jus territoriale* (territorial right), the Electoral House of Saxony is in no way disposed to enter into any dispute with respect to the right of Schoenburg over the before-mentioned Lordships of Glaucha, Waldenburg, and Lichtenstein, especially as the House of Schoenburg enjoys its Imperial Privileges according to Section XVIII hereafter following. On the contrary, His Royal Majesty will permit that the House of Schoenburg shall be entitled to exercise the Privileges contained in the following paragraphs, in conformity with existing Treaties.

4 to 17. (See Table.)

*Imperial Privileges of the Counts, Lords of Schoenburg.*

18. Neither has His Majesty any intention of obstructing the said Counts, Lords of Schoenburg, in their Imperial and Circle-privileges, nor in their *exercito* (exercise) of them, according to *observanz* (observance), and in so far as the same is established; provided, however, that it be without prejudice to what has been already provided in this *Recess* (Convention) touching His Royal Majesty's Sovereign Privileges.

*Special Rights of Counts and Lords of Schoenburg.*

19. In the next place, so far as concerns those *jura specialia* (special rights) which the Counts, Lords of Schoenburg, have to exercise, and with which His Royal Majesty will not interfere, otherwise than in the *subordination* (subordination) thereunto appertaining, the Counts, Lords of Schoenburg.

ARTS. I and II. (See Table.)

In testimony whereof, the Most Honourable the Royal Commissioners thereunto appointed, and the Plenipotentiaries of the Counts of Schoenburg, with the approbation of His Royal Majesty the King of Poland and Most Serene Elector of Saxony, and *respective* (each and every) the Counts, Lords of Schoenburg, have signed and sealed the present Ratification.

Dresden, the 4th of May, of the year 1740.

(L.S.) WILHELM AUGUST G. VON STUBENBERG.
(L.S.) ADAM FRIEDRICH GLAFEY.
JOHANN PAUL EGIDIUS NITSCHE, *Dr.*

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ADDITIONAL CONVENTION *between Poland and Saxony, and Schoenburg, relative to the Lordships of the House of Schoenburg.*

Arts. I to III. (See Table.)

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## *DEFINITIVE TREATY of Peace and Friendship, between Great Britain and Netherlands. Signed at Aix-la-Chapelle, 18th October,* 1748.*

[Referred to at pages 168, 613, 1046.]

ART. TABLE.

7. Transfer of *Parma, Placentia,* and *Guastalla* to Don Philip of *Spain.* Restitution of *Savoy* and *Nice* to *Sardinia.*

Act of Cession of the Empress Queen of *Hungary* and *Bohemia,* 1748.
Act of Cession of the King of *Sardinia,* 1748.

(Extract.) (Translation.)

*Transfer of Parma, Placentia, and Guastalla to Don Philip of Spain.*

ART. VII. In consideration of the Restitutions that His Most Christian Majesty, and His Catholic Majesty make, by the present Treaty, either to Her Majesty the Queen of Hungary and Bohemia, or to His Majesty the King of Sardinia, the Duchies of Parma, Placentia, and Guastalla shall, for the future, belong to the Most Serene Infant Don Philip, to be possessed by him and

* Acceded to by the Empress Queen of Hungary, the Kings of Spain and Sardinia, the Duke of Modena, and the Republic.

his Male Descendants, born in lawful Marriage, in the same manner, and in the same extent, as they have been, or ought to be, possessed by the present Possessors; and the said Most Serene Infant, or his Male Descendants, shall enjoy the said 3 Duchies, conformably and under the Conditions, expressed in the Acts of Cession, of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

*Restitution of Savoy and Nice to Sardinia.*

These Acts of Cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their Ratifications of the present Treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the Most Christian King, and Catholic King, shall deliver, with the Ratifications of their Majesties, to the Ambassador Extraordinary and Plenipotentiary of the King of Sardinia, the Orders to the Generals of the French and Spanish Troops to restore Savoy and the County of Nice to the Persons appointed by that Prince to receive them; so that the Restitution of the said States, and the taking possession of the Duchies of Parma, Placentia, and Guastalla, by or in the name of the Most Serene Infant Don Philip, may be effected within the same time, conformably to the Acts of Cession, the tenor whereof follows:

*Act of Cession of the Empress Queen of Hungary and Bohemia,* 1748.

We, Maria Theresa, &c., make known by these Presents:

Whereas, in order to put an end to the fatal War, certain Preliminary Articles were agreed upon, on the 30th of April of this year, between the Ministers Plenipotentiaries of the Most Serene and Most Potent Prince, George II, King of Great Britain, and the Most Serene and Most Potent Prince Lewis XV, the Most Christian King, and their High Mightinesses the States General of the United Provinces, which have been since ratified by all the Powers concerned: the tenor of Article IV whereof is conceived in the following manner:

"Art. IV. The Duchies of Parma, Placentia, and Guastalla, shall be yielded to the Most Serene Infant Don Philip, to serve him as an Establishment, with the right of Reversion to the present Possessors, after that His Majesty the King of the Two Sicilies shall have succeeded to the Crown of Spain; as also in

case the said Most Serene Infant Don Philip should happen to die without Children."

And whereas, a Definitive Treaty of Peace having since been concluded, the several points relating to this affair have been, by virtue of the Articles thereof, explained by the common consent of the Parties concerned, in the following manner:

"In consideration of the Restitutions that His Most Christian Majesty and His Catholic Majesty make, by the present Treaty, either to Her Majesty the Queen of Hungary and Bohemia, or to His Majesty the King of Sardinia, the Duchies of Parma, Placentia, and Guastalla shall, for the future, belong to the Most Serene Infant Don Philip, to be possessed by him, and his Male Descendants born in lawful Marriage in the same manner, and in the same extent, as they have been or ought to be possessed by the present Possessors; and the said Most Serene Infant, or his Male Descendants, shall enjoy the said 3 Duchies conformably and under the conditions expressed in the Acts of Cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia.

"These Acts of Cession of the Empress Queen of Hungary and Bohemia, and of the King of Sardinia, shall be delivered, together with their Ratifications of the present Treaty, to the Ambassador Extraordinary and Plenipotentiary of the Catholic King, in like manner as the Ambassadors Extraordinary and Plenipotentiaries of the Most Christian King and Catholic King shall deliver, with the Ratifications of their Majesties, to the Ambassadors Extraordinary and Plenipotentiaries of the King of Sardinia, the Orders to the Generals of the French and Spanish Troops, to restore Savoy and the County of Nice to the Persons appointed by that Prince to receive them; so that the Restitution of the said States, and the taking possession of the Duchies of Parma, Placentia, and Guastalla, by or in the name of the Most Serene Infant Don Philip, may be effected in the same time, and conformably to the said Acts of Cession."

Wherefore, in order to fulfil those things to which we have bound ourselves by the Articles before inserted, and in the firm hope that the Most Christian and Catholic Kings, and the future Possessor of the aforesaid 3 Duchies, and his Male Descendants, will, on their part, *bonâ fide*, and punctually, fulfil the tenor of the Articles above-mentioned, and will likewise restore to us, within the same time, the States and Places which are to be restored to Us in consequence of Articles II and XVIII of

the same Preliminaries; We do yield and renounce, for us and our Successors, under the Conditions expressed in the above-mentioned Articles, all Rights, Claims, and Pretensions to Us under any Title or cause whatsoever belonging, upon the aforesaid 3 Duchies of Parma, Placentia, and Guastalla, formerly possessed by Us; and transfer the same Rights, Claims, and Pretensions, in the best and most solemn manner possible, to the Most Serene Don Philip Infant of Spain, and his Male Descendants to be born in lawful Marriage, absolving all the Inhabitants of the said Duchies from the Allegiance and Oath which they have taken to Us, who shall be obliged for the future to pay the same Allegiance to those to whom we have yielded our Rights; all which, however, is to be understood only for that space of time that either the said Most Serene Infant Don Philip, or one of his Descendants, shall not have ascended either the Throne of the Two Sicilies or of Spain; for at that time, and in case the aforesaid Infant should die without Male Descendants, we expressly reserve to Ourselves, our Heirs and Successors, all Rights, Claims, and Pretensions which have heretofore belonged to Us, and consequently the right of Reversion to the Duchies.

In witness whereof, &c.

MARIA THERESA.

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*Act of Cession of the King of Sardinia*, 1748.

CHARLES EMANUEL, &c. The desire we have to contribute, on our part, to the most speedy re-establishment of the public tranquillity, which lately induced us to accede to the Preliminary Articles, signed the 30th of April last, between the Ministers of His Britannic Majesty, His Most Christian Majesty, and the Lords the States-General of the United Provinces, which we did, on the 31st of May last, by our Plenipotentiary accordingly accede to, inducing us now to accomplish as much as is to be performed on our part in pursuance of them; and particularly for the execution of what is contained in Article IV of the said Preliminaries, by virtue whereof the said Duchies of Parma, Placentia, and Guastalla are to be yielded to the Most Serene Prince Don Philip, Infant of Spain, to hold, as an Establishment, with the right of Reversion to the present Possessors, as soon as His Majesty the King of the Two Sicilies shall have succeeded to the Crown of Spain, or that the said Infant should happen to die without Issue Male; We, in conformity thereto, do, by the present Act,

renounce, yield, and transfer, for Ourselves and our Successors, to the aforesaid Most Serene Infant Don Philip, and to his Male Issue and their Descendants, born in lawful Marriage, the Town of Placentia, and the Plaisantine (whereof we were possessed), to be held and possessed by him as Duke of Placentia; renouncing to this end all rights, claims, and pretensions which we have upon them; reserving, however, expressly to Us and our Successors the right of Reversion in the cases above mentioned.

In witness whereof, &c.

CHARLES EMANUEL.

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*TREATY between Denmark and Norway and Sweden, defining the Boundary between Norway and Sweden. Signed at Strömstad,* $\frac{\text{21st September,}}{\text{2nd October}}$ 1751.

[Referred to at page 745.]

ART. TABLE.

1. Description of Boundary Line between *Norway* and *Sweden*.

2 to 8. Arrangements between *Denmark* and *Norway* and *Sweden*, consequent upon the Settlement of the Boundary Line.

(Translation.)

ART. I. Traces and fixes the Boundary Line between the Kingdoms of Norway and Sweden from Hisöe or Hengsöe in the Korn-Siöe, by and through the following points and places: Rompöe, Hisöe-Sund, Lyks-Wigen or Lykswands-Wigen, Sundsbroesund, Kjoerringesund, Björnesund, Abborsund, Kraakesund, Norder-Korn-Siöe, Halleröd, Bog-River, Hold-Damm or Halleröd-Damm, Bog-Lake, Kull- or Kaal-Holm, Graaemären or Hvite-Steen, Taagholm, Bue-Dahl, Lesjö, Grötesboe-Outlet, Grötesboe-Beck, Gröte-Kjern, Gröte-Bach, Ulve-Water, Ulve-Water-Oos, Ulve-Water-Damm, Röeholen, Skille-Funen, Klovstens-Aasen, Raa-Steen, Lang-Aaas-Axel, Allingsmur, Raasten, Moesten, Krog-Kjernsholm, Hede-Steen, Siuls Boe or Bokkehytte Dahl, Giöpebergs or Biekule-Röss, West-Dyveln, East-Dyveln, South-Biur-Vand, North-Biur-Vand, Rödvand, Sloern, Röskiern, Salholm, Great-Lee-Vand, Moswigs-Island, Troldöen, Konannebbe, Lysekiern, Bre-Mose, Slahelle-Moc, Tverhelle-Moc, Moe-Fors, Moe-Kiern, Berge Kierns-Sund, Hulbecker Bridges, Slakleven, Högsäd, Klev, Roune-Kierns-Point, Klofstein, Joare-Knatte, Galtedals-hoiden, Mörkersund, Raa-Merk, Grindefors, South Langevads-Bond, Langevads-Becken, Oxen and Oxkjern, Dyvlingsholm or Gaascholm, Romunger Lake, Grindefors, Steen, Mosehalsen,

Furum, Poskiern, Tverbeck, Bleker-Kiern, Tuven in Taak-See, Langegobbe, Fierebecks-Kiern, Rödvand, Ströe-Kiern, Hornsiöe, Krogvand or Lange-Grop, Groensiöe, Fieldboe-See, Fieldboe-Dölperne, Holmsiöe, Begge, Lindbroe-Vand, Hyne-Kiern, Fisk-Vand, Grener-Fors, Krokfors, Röseholm, Ruds or Leerwig, Rödehald, Skiegaards-Hedge, Hoisetter-River, Kneggebergs-Islands in Helge-lake, South-Kiörpungs-Kiern, Aare-Kiern, Skoargaards-mark, Leer See, Orre or Orebacken, Abbor-Kierns-maal Lange-Gropens-End in the Urang-River, Quist Klovstein in Bil-River, Storoe in Udgaards-Lake, Rödmyr, Murtelek in the Holm-Lake, Soeter-Kiern, Skaalsiöe-Oos, Staken in the Waereler or Warald-Lake, Cronhald or Ronaald by Dus or Tys-Kiern, Maase-Klutte, Rotnesmoe, Arkogs-Berge, Nykle- or Mykle-Water, Holmen, Bodholm, Moldhoug-Klindt or Great-Mold-Dusen, Norder-Bag-Siöberg, Röjdeholm, Raaberg, Elge or Adler-Klinten, Midskogs-Quelle, East and West Hökling, Krogsiöe, East-Diupbergshette, Skarp-Diupbergshette, Skarp-Diupberg, Gaasekierns-Sund, Muldhougen, Bak-Klindt, Bag-Oos, Hölgefald, Gryte, Strupe-Forsen, Storberg. Sand-Kilde-Forsen, Lachsfang-Buildings, Sandkilde, Windkilden, Tandaaenäs-Point, Moebergs-Mark, Naewalds-Field, Tandaaenäs-Point, Flaewaldslöds-Point, Waatudalsyun, Faxe-field, Bradt Field, Quarnkielde, Morte-Tuva, Driv-Field, Midskougs-Knall, Lislefield, and Hvidhaagner, Herjehaagna, Wonsiöe-Gusten, Muren in Ruten, Haftorstaten, Skarvdören, Great-Sola, Great-Gluggen, Skiör or Skurddals-Port, Halsiöe-Ruven, Storsiöe-Sund, Findwolle, North-Skiaervands-End, Straadals-Fors, Straadals-Klumpens boundary mark, Skiekkens-Stream-mark, Biörke-Vatus-Fields-mark, Nyamojoks-mark, Högsädet, Holdershatt, Jävsiöehatten, Jutahatten, North-King-Lake, Penning-Keisene, the river from Mur-Lake, Quädlie-Lake, Portfield, Linnebotus-End, Nordsvelds-Klump, Jadnems-Klump in Börgefield, Tremsjock, Gaudejock, Moritz-Skyjtsky-plain, Are-Träsk, Worko-Träsk, Bruxt-Field, Raude-Jaure, Raokan-Jaure, Skaukievari, Uma-water, Gräs-water, Akels-Jauri, Jaus-Jaures outlet, Kier-Kejauri, Börichs Träsk, Rikasjaure, Nassafield, Svangskiern, Streitiskiak, Joxetiok, Skarjahegorri in Doriswag, Saulotiok, Stendalen, Lomi-water, North-Suljetielma, Olmajallogeikna, Tulpageikna, Guatilis, Hurri, Sautas or Tiokolis, Tiorro, Letnawarde, Pernitjok, Pauda, Great-Rida, Tioki, Märfas, West-Jove, Tiorre, Jvarsten, Kalamjok, Kadderoisvi, Reuri-mountains, Wustiatza, Keudnojaure, Polno-lake, Hiert on the Duoderichs or Dörderichs-mountains, Koitewara or Koiwarak, Wuoskonmodka,

Kiepanwara, Tarfelwara, Kaagke or Tiandewara, Haukawuosma or Haukejaure Modka, Raudekiolma, Rostosund, Moskonmodka, Tiorrokaitsa, Japajaure, Koskimmodka, Kalkogaab, Marselkwara, Tollihupuk, Goeting, Field-Ryg, Ortismorkisoifwi or Ortisoifwi, Kaudaskais, Halde or Haltianilto, Somasoifwe, Wardoifwe, Birte or Skierta-Wara, Tennismodkis, Korsewara, Akiswara, Nerrewara, Posseswara, Urewara, Marselkorre, Pitsiskiolme, Kieldewado, Salwaslopel, Salwaswado, Soiwersware, Termenswardo or Tirmesware, Bewersmodka, Raudoiswe, Maderoifwe, Saltoifwe, Aletwara, Matasoifwe, Kalkowado, Kalkolobel, Rauda-Autzi, Raude-Jaurene, Ausvupudakjaure, Seikisautzi, Keitemjaure, Raudoiswe, Maselantzi, Kaldjoure, Ladegeiwoifwe or Beldowadda, from thence the Boundary line is to go northwards to Skiekkemjok and to follow that jok or brook till it falls into the Enara-stream, which is also called Upper-Tana-stream; that stream forms the Boundary until it unites with the Karasjocki-stream, where the great or proper Tana- or Teno-stream begins, which likewise forms the boundary up to the place where the Skolajocki-brook falls into the said Tana-stream; from thence the Boundary line is drawn to the East to the Harrimatskaidi mountains, then over a ground between two brooks to the Polmatjaure-Lake, thence to Wuomowarast, Pitsusmarast, and, lastly, to the Kolmisoifwi Madakietza mountains.

Arts. II to VIII. (See Table.)

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*TREATY between the Empress Queen Maria Theresa and the King of Sardinia, to arrange the Disagreements relative to the Execution of the Treaties of* 1703, 1738, 1743, *and* 1748, *and to favour the Commerce of their States. Milan, 4th October,* 1751.

[Referred to at page 260.]

ART. TABLE.

1. Preservation and Repair of the Grand "Naviglio," derived from the Ticino.
2. Supplies during the War from 1742 to 1748.
3. Treatment of Subjects of the Dismembered Provinces in the State of *Milan*, and of Subjects of the State of *Milan* in the dismembered Provinces.
4. Supply of Goods.
5. Commerce.
6. Royal Stewardships for Benefices which have their Title in one Dominion and their Property in the other.
7. *Ghislieri* College.

ART. TABLE.
8. Delivery of Documents concerning the ceded Countries.
9. Offices conferred by the Chamber of *Milan* on obligatory terms.
10. Ratification of the Convention for consignments of Salt.
11. Civic Pro Rata.
12. Chamber Pro Rata.

*Separate and Additional Article.*

Royal Monopolies.

## *BOUNDARY TREATY between Sardinia and the Republic of Geneva. Signed at Turin, 3rd June, 1754.*

[Referred to at pages 73, 167, 433.]

ART. TABLE.
1. Boundaries of Bailiwicks of *Terniez* and *Galliard* to be traced.
2. Boundary of *Geneva* on the side of *Galliard*.
3. Village of *Gy* and *Sionnet* to be united to *Jussy*.
4. Cession to *Geneva* of Land on left Bank of River *Arve*.
5. *Geneva* to retain Villages of *Cartigny, Petite Grave, Epaisse,* and *Passeiry*.
6. Rights of Sovereignty in Places and Territories ceded by *Sardinia* to *Geneva*.
7. Rights of Sovereignty in Places and Territories ceded by *Geneva* to *Sardinia*.

*Report.*

Detailed Delimitation of Landmarks.

(Translation.*)

*Boundaries of Bailiwicks of Terniez and Galliard to be traced.*

ART. I. In order to settle all the Differences arising out of the position and the nature of the Lands and Fiefs possessed by the Lordship of Geneva in the Bailiwicks of Terniez and Galliard, the Delimitation of those Boundaries by division or exchange, shall take place in the manner and under the conditions following:

*Boundary of Geneva on the side of Galliard.*

ART. II. The Suburb of Geneva on the side of Galliard, already limited by the Rivulet Seime, from its Mouth in the Arve as far as the Pont de Chesne, shall continue along that Rivulet in its ascent, from the said Pont de Chesne as far as the Pont Bochet from whence it shall proceed by the Road to Nicolaus and from thence to the Lake, according to the Plan and the Report signed in Duplicate, forming part of the present Treaty.

* For French version, see "State Papers," vol. iii, p. 763.

*Villages of Gy and Sionnet to be united to Jussy.*

ART. III. The Villages of Gy and Sionnet, with the Territories marked on the same Plan, and more particularly described in the Report relating thereto, shall be united and incorporated with Jussy.

*Cession to Geneva of Land on left Bank of River Arve.*

ART. IV. On the side of Terniez, His Majesty cedes to the Town and Republic of Geneva the Land belonging to him on the left Bank of the River Arve, as traced on the above-mentioned Plan, leaving on the side of Savoy all the houses of Carouge, by a line drawn from the borders of the said River as far as the road leading from thence to the Crest des Morts, which road shall afterwards be the Limit: and from thence a straight line shall be drawn as far as the Rhone between Batie and St. George, which will be more particularly described in the said Report; on condition that, with the exception of the Guard House at the end of the Bridge of Arve, all the Buildings in that Territory, including the Vernets, shall be demolished at the expense of the Lordship of Geneva, within one year, no building being allowed to be erected thereon afterwards.

*Geneva to retain Villages of Cartigny, Petite Grave, Epaisse, and Passeiry.*

ART. V. The Republic still retaining the Villages of Cartigny, Petite Grave, Epaisse, and Passeiry, with their Territories, from the great Road from Geneva to Chancy as far as the Rhone, according to the Plan and Report referred to.

*Rights of Sovereignty in Places and Territories ceded by Sardinia to Geneva.*

ART. VI. In the Places and Territories above mentioned, His Majesty for himself and his Successors, cedes in perpetuity to Geneva all Rights of Sovereignty and others belonging to him, without any exception or reservation.

*Rights of Sovereignty in Places and Territories ceded by Geneva to Sardinia.*

ART. VII. Reciprocally the said Republic cedes to His Majesty and his Successors all their Rights of whatsoever nature beyond the above-mentioned Limits and Territories, as well in the said

Bailiwicks as in the Duchy of Savoy; excepting nevertheless Chancy and Avrilly, and Jussy, from which shall be further made over to His Majesty the Territory of the Etoles, and Grange-Veigy as far as Nant de Tuernant, which shall from henceforth form the Boundary of Jussy on the side of Chablais, and the respective Commissioners who shall be charged with the execution of the Boundaries agreed upon in this Treaty shall proceed to the delimitation of those reserved Territories.

REPORT.

Detailed Delimitation of Landmarks.

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*CONVENTION between France, Sardinia, and Spain, relative to the Reversion of Placentia. Signed at Paris, 10th June, 1763.*

[Referred to at page 168.]

ART. TABLE.

1. Right of Reversion of *Placentia* to *Sardinia.*
2. Guarantee of Reversion of *Placentia* to *Sardinia.*

(Translation.*)

*Right of Reversion of Placentia to Sardinia.*

ART. I. Their Most Christian and Catholic Majesties again renew, in favour of His Majesty the King of Sardinia, the Right of Reversion of the Town of Placentia and of the part of Placentia as far the Nura, specified in the Treaty of Aix-la-Chapelle, in case the Male line of the Infant Don Philippe, the actual Possessor should become extinct, as well as in case that Prince or his Male Successors should succeed to one of the Crowns of his Family.

*Guarantee of Reversion of Placentia to Sardinia.*

ART. II. Their Most Christian and Catholic Majesties not only recognise the Right of Reversion in favour of Sardinia specified in Article I, but they also expressly Guarantee it by the present Convention, according to the terms above expressed, and promise to oppose whoever might undertake to prevent the execution of the said Right of Reversion.

* For French Version see "State Papers," vol. ii, p. 959.

## *BOUNDARY CONVENTION between France and Spain. Signed at Perpignan, 12th November*, 1764.

[Referred to at page 1648.]

ART. TABLE.

1. Bridge from *Junquera* to *Pertus* to form Central point of Boundary.
2. Landmarks to be erected at outlet of the Bridge on the side of *Pertus*.
3. Landmarks to be erected on the Right side of the Bridge.
6. Plans to be drawn of the whole of the Line and its Landmarks.

(Translation.)

*Bridge from Junquera to Pertus to form Central Point of Boundary.*

ART. I. The first bridge of the precipice shall be the central point, unalterable and perpetual, of the Boundaries of the two Kingdoms, going from La Junquera to Pertus; the whole of that bridge being Spanish Territory, so that the extremity of the bridge on the side of Pertus shall afford immunity and shelter for every deserter, or other person, or any occurrence.

*Landmarks to be erected at outlet of the Bridge on the side of Pertus.*

ART. II. At the outlet of the above-mentioned bridge on the side of Pertus two pillars shall be fixed with the Arms of France and Spain, and taking the left-hand a line of division shall be traced, which shall go in front of the tenaille of the Fort of Bellegarde, the Redoubt of Panissas, and the ruined Chapel of Our Lady of that name, afterwards continuing to the summit of the mountains according to the Treaty of Peace of the Pyrenees; and 4 pillars or landmarks shall be set up, one at each extremity of the flanked angles of the said tenaille of Bellegarde, from 25 to 30 toises distant from its covered way, another at 18 toises distant from the front of the Redoubt of Panissas, and the last for this side in the middle of the ruined chapel, as marked in the plan by the letters R, P, C, r, E.

*Landmarks to be erected on the Right side of the Bridge.*

ART. III. On the right of the said bridge the line of division shall proceed close to the high road by the angles of the precinct of the Garden of Pertus to the Hill of Puigmal, the division of flowing waters cited in the Treaty of the Pyrenees, and 4 pillars or landmarks shall be placed at the points Z, h, N, O.

ART. VI. (See Table.)

## *BOUNDARY TREATY between Parma and Sardinia. Signed at Stradella, 10th March, 1766.*

[Referred to at page 693.]

ART. TABLE.

1. Boundary from the Confluence of the *Auto* with the *Trebbia* to *Casoni*, and the dry Stream of the ancient Boundary.
2. Boundary from the Dry Stream to *Bochetta della Prada*, and from thence to the *Stone of the Three Sisters*.
3. Boundary from the *Three Sisters* to *Spanna*, ascending thence to the *Cà de'Frè*.
4. Boundary from the *Cà de'Frè* to the *Monte de Pietra* and *Costiola*.
5. Boundary from *Costiola* to the Boundary Mark of the *Rossarola*.
6. Boundary from *Rossarola* to the *Croce della Rossella*.
7. Boundary from *Rossella* to the *Cà di Scajo*.
8. Boundary from the *Cà di Scajo* to the Confluence of the Torrent of *Bardonezza* with the Stream of the *Ora*.
9. Boundary from the Stream of the *Ora* to *Fornello* and *Oratorio* of *Luzzano*.
10. Boundary from the *Oratorio de Luzzano* Road to the Road leading to the *Bardonezza*.
11. Boundary between the Torrent of *Bardonezza* and the Torrent of *Marcinola*.
12. Boundary from the *Bardonezza* to the *Zapellone* Road.
13. Boundary from the *Zapellone* Road to the Road from *Parpanese* to *Castel S. Giovanni*.
14. Boundary from the Road to *Castel S. Giovanni* to the *Boriacco* Stream, and from its mouth in the *Po* by a straight Line to the middle of the *Po*.
15. The *Cusani* and *d'Este* as well as the *Bosconi* on the Right Bank of the *Po* to belong to *Parma*.
16. Reciprocal relinquishment of Rights over the Territories ceded by this Treaty.
17. Taking possession of Ceded Territories.
18. Torrents, Streams, Fountains, Islands, Roads, Paths, &c., on the Frontier to be Divided in the Middle, unless otherwise described. Watercourses not to be altered,
19. Cessions to include all Rights whatever, without prejudice to Private Rights.
20. Subjects of both Parties to enjoy their Rights in regard to the Ceded Territories.
21. Fixing the Boundary Marks. Ratifications.

*Boundary from the Confluence of the Auto with the Trebbia to Casoni and the Dry Stream of the ancient Boundary.*

ART. I. The line which, according to the map, formerly divided the two States from the Confluence of the Auto with the Trebbia, proceeding by the middle of this last Torrent between Corte Brugnatella and Ozola to the Mouth of the Stream of the

Gainetta, will continue along the middle of the said Trebbia Torrent to where the Torrent Cordarrezza discharges itself; that line will then ascend by the middle of this Cordarrezza to another line which goes to Poggio del Dente; and thence traversing the Streams of Monte Rotondo and of Coriasca, it will go on by the Stream of Sterná, then turning to the place of the Casoni, and afterwards to the dry Stream, according to the line coloured green on the special Map, marked A; so that the places and Lands which this line leaves on the side of Piacenza shall belong to this Duchy; but it is agreed that the inhabitants of Corte Brugnatella shall have the joint use of and free access to the Fountain of Morosa.

*Boundary from the Dry Stream to Bochetta della Prada, and from thence to the Stone of the Three Sisters.*

ART. II. From the dry Stream the ancient Boundary shall continue as before to the Bochetta della Prada; from that point to the stone of the 3 Sisters a new Boundary is arranged by the present Treaty between the Territory of Bobbio on the one part, and those of Coli, Porcile, and Gavi on the other, according to the green line drawn on the special Map, marked B; so that in this part also the places which the said line leaves on the side of Piacenza, and respectively on that of Bobbio, shall belong to those respective Jurisdictions.

*Boundary from the Three Sisters to Spanna, ascending thence to the Cà de' Frè.*

ART. III. The ancient Boundary will also remain from the above-mentioned stone of the 3 Sisters to the Groppo di Barbarino, and from that to the middle of the Trebbia, which it follows descending to opposite the Stone of S. Colombano, called the *Spanna;* whence it ascends to the Cà de' Frè, according to the red and yellow line on the said agreed Map.

*Boundary from the Cà de' Frè to the Monte di Pietra Corva and Costiola.*

ART. IV. From the Cà de' Frè to the Monte di Pietra Corva and to the Costiola, the Boundary is established by the present Treaty between the Territories of Bobbio and the Romagnese on one side, and those of Mezzano Scotto, Aiguerra, and Cicogna on the other, according to the red line on the agreed Map, so that it leaves the Cà de' Frè, Pradonico, Boschini, Mallosso, Castellino,

Colorazze, and other places to the said Territories of Bobbio and Romagnese.

*Boundary from Costiola to the Boundary Mark of the Rossarola.*

ART. V. After Costiola the ancient division of the two States will remain as far as the Tidone, and ascending by the middle of that Torrent up to the Rio Chiapedo, will continue as heretofore to the Croce, and Boundary mark of the Rossarola.

*Boundary from Rossarola to the Croce della Rosella.*

ART. VI. From the Croce, and Boundary mark of the Rossarola, it is agreed that the Boundary shall traverse the Territory of Moncasacco, up to the Croce della Rossella, according to the green line on the agreed Map; so that the road which returns from the Croce della Rossella, to the angle of that which comes from Stadera to the village of Moncasacco, shall be common and divisional in the middle; and as for the other parts of the same road, which from the same angle shall be limitary up to the Croce della Rossarola, they remain wholly under the Sovereignty of His Majesty; and by this new line of division, the northern part of Contado, and Territory of Moncasacco, with the disputed site between that same Territory and that of Canevino, will also belong to His Majesty.

*Boundary from Rossella to the Cà di Scajo.*

ART. VII. Resuming then the ancient Boundary after the Croce della Rossella up to the Cà di Scajo, it will go on by the road, which leaves on the Territory of Golferenzo the land which was disputed in this part between this Commune and that of Tassara.

*Boundary from the Cà di Scajo to the Confluence of the Torrent of Bardonezza with the Stream of the Ora.*

ART. VIII. From thence the demarcation will remain as heretofore up to the angle of the roads which go from one side to the Case de' Bertini, and from the other to S. Giorgio; whence continuing by this last road up to the mark called *della Costa*, it will then descend by a straight line to the beginning of the Bardonezza, and will go on by this Torrent to the Confluence with it of the Stream of the Ora, thus leaving on the Territory of Soriasco all the rest of that land which was marked as disputed in the said agreed Map.

*Boundary from the Stream of the Ora to Fornello and Oratorio of Luzzano.*

ART. IX. From the Confluence of the Stream of the Ora, the Boundary will continue as before by the Bardonezza up to the confines between Rovescala and Vicobarone, as those Confines are fixed by the red line, and from the two Limits marked at this part on the said agreed Map, and so up to the road which goes from Vicobarone to Luzzano; by which road the ancient Boundary will continue, according to the joint line drawn on the said Map, up to the angle of the roads, of which one goes to the Fornello, and the other to the Oratorio of Luzzano.

*Boundary from the Oratorio de Luzzano Road to the Road leading to the Bardonezza.*

ART. X. From the angle of the two roads above-mentioned the new division will go by the last of them, in the manner explained below, to another road which turns to the Bardonezza, thus leaving to the Piacentine the land with the house between this new line and the ancient one; it is agreed that the aforesaid Oratorio of Luzzano is to remain entirely on the Pavese Oltrepò, that part of the road, which is to form the new confines, shall be removed at joint expense, when the Boundary marks are fixed, to behind the said Oratorio, at the distance and in the manner shown on the special Map, marked C.

*Boundary between the Torrent of Bardonezza and the Torrent of Marcinola.*

ART. XI. The ancient Boundary will then be followed, as shown by the line drawn on the aforesaid agreed Map, up to the Bardonezza; and the new division of the two States will continue by the bed of the same Torrent up to where the Marcinola unites with it; and in virtue of this Article the portion of the Territory of Mondonico, which is between these two Torrents, and the Territory of Rovescala, will be incorporated with the Pavese-Sardinian Province called Oltrepò.

*Boundary from the Bardonezza to the Zapellone Road.*

ART. XII. From the union of the Marcinola with the Bardonezza the Boundary will continue by the middle of the latter to the road of the Zapellone, which remains entirely on the Territory of Parpanese; and thus all the places and lands with part of the Romea and Cavallante roads, at the left of the said Torrent, will belong to His Majesty.

*Boundary from the Zapellone Road to the Road from Parpanese to Castel S. Giovanni.*

ART. XIII. From the road of the Zapellone the Boundary will go on by the continuation of that ditch, which formerly in this part divided the Territory of Parpanese from that of Castel S. Giovanni, to the Torrent of the Carogna; and ascending by this Torrent according to the joint line on the Map, to the yellow line proposed by His Royal Highness's Engineer, will continue by this, traversing the road which leads from Parpanese to Castel S. Giovanni.

*Boundary from the Road to Castel S. Giovanni to the Boriacco Stream, and from its Mouth in the Po by a straight Line to the middle of the Po.*

ART. XIV. From that point, the ancient Confines subsisting still, by the middle of another ditch shown on the Map, it will continue to the Stream called Boriacco, or Fossadone, and from the Mouth of that Stream in the Po the division of the two Dominions will be terminated by a straight line drawn to the Middle of that River.

*The Cusani and D'Este, as well as the Bosconi on the Right Bank of the Po to belong to Parma.*

ART. XV. According to the preceding Articles, the two Bottaroni, denominated *Cusani* and *d'Este*, situated on the Right of the River Po, will belong in future to His Royal Highness, as well as the Bosconi, also situate on the Right of the same River, from the mouth of the Boriacco, or Fossadone, to the Boscone of the Ospital Grande di Piacenza; but no means of passage from one Bank of the Po to the other must be established in front of the said Bosconi.

ARTS. XVI to XXI. (See Table.)

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*PROVISIONAL TREATY between Denmark and Russia, for the Cession of the Duchy of Holstein to Denmark. Signed at Copenhagen, $\frac{11\text{th}}{22\text{nd}}$ April, 1767.*

[Referred to at page 1148.]

ART. TABLE.

1. *Russian* Renunciation of the *Holstein* Participation.
2. Acceptance of Debts.
3. Regulation of Debts.

ART. TABLE.

4. Payment of Debts.
5. Reservation of Abatement.
6. Agreement respecting the Appanage and Trust Debt chargeable on *Fehmarn*.
7. Contingent Liquidation thereof.
8. } *Lubeck* Coadjutorship.
9. }
10. Exchange of the *Holstein* Participation for *Oldenburg* and *Delmenhorst*.
11. Form of Cession.
12. *Holstein* Debts Liquidated.
13. *Holstein* Debts not Liquidated.
14. Acknowledgment thereof.
15. Redemption.
16. Maintenance of the present Constitution of the Country.
17. Services and Pensions.
18. Expectancies in *Holstein* and *Oldenburg*.
19. Appanages for the younger Lines.
20. Trust Property, *Stendorf*, &c.
21. Payment of Debts out of the Revenues of the Country.
22. *Oldenburg* and *Delmenhorst* free from Debts.
23. Maintenance of the Constitution of the Country.
24. Services, Pensions, Expectancies.
25. The Military.
26. Redemption of Pledges.
27. Consent of Agnates.
28. Order of Succession.
29. Consent of Feudal Superiors.
30. Elevation of *Oldenburg* to a Duchy, and Vote at the Imperial Diet.
31. Indemnification of War Damages.
32. Episcopal *Hans* Foundation.
33. Ratifications.
34. Signing and Sealing.

Done at Copenhagen, $\frac{11\text{th}}{22\text{nd}}$ April, 1767.

(L.S.) J. H. E. BAR. v. BERNSTORFF.
(L.S.) O. THOTT.
(L.S.) D. REVENTLOW.
(L.S.) M. FILOSOFFOW.
(L.S.) C. v. SALDERN.

## *DEFINITIVE TREATY between Denmark and the Grand Duke of Russia, for the Exchange of Holstein for Oldenburg and Delmenhorst. Signed at Zarskoe-Selo,* $\frac{\text{21st May,}}{\text{1st June,}}$ 1773.

[Referred to at page 1148.]

ART. TABLE.

1. Ratification of the Act of Renunciation.
2. *Danish* Confirmation of the Provisional Treaty.
3. Concerning the younger *Holstein-Gottorp* Line.
4. Article VIII confirmed and Resignation of Prince Frederick.
5. Exchange of the Grand Ducal Shore of *Holstein* for *Oldenburg* and *Delmenhorst*, confirmed.
6. *Holstein* Debts.
7. Constitution of the Country.
8. Appanage.
9. Entail.
10. Proclamation concerning *Oldenburg* and *Delmenhorst*.
11. Consent of Prince Frederick.
12. Order of Succession, and further Cession of *Oldenburg* and *Delmenhorst*.
13. Guarantee.
14. Consent of Feudal Authority.
15. *Oldenburg* and *Delmenhorst* to be raised to a Duchy, with a Vote at the Diet.
16. Negotiations in that behalf.
17. Eutin Foundation.
18. Extradition of Archives.
19. Execution of Treaty.
20. Exchange of Ratifications.

Done at Zarskoe-Selo, the $\frac{\text{21st May}}{\text{1st June}}$, 1773.

(L.S.) C. F. NUMSSEN.
(L.S.) COUNT N. PANIN.
(L.S.) C. v. SALDERN.

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## *TREATY OF PEACE between Russia and Turkey. Signed at Kainardji,* $\frac{\text{10th}}{\text{21st}}$ *July,* 1774.

[Referred to at page 1173.]

ART. TABLE.

7. Protection of Christian Religion and Churches.
8. Permission to *Russian* Subjects to visit *Jerusalem* and other Places.
14. Permission to erect a *Greek* Church at *Galata*.
16. Free exercise of Christian Religion. Building and Repair of Churches. Restoration of Lands to Convents, &c. Consideration towards Ecclesiastics.

(Translation.)

*Protection of Christian Religion and Churches.*

ART. VII. The Sublime Porte promises constantly to protect the Christian Religion in all its Churches, and also agrees that the Ministers of the Imperial Court of Russia may make Representations in favour of the Church to be erected at Constantinople, as well as those officiating therein, and promises to receive these remonstrances as coming from a trustworthy person in the name of a sincerely friendly neighbouring Power.

ART. VIII. *Permission to Russian Subjects to Visit Jerusalem and other Places.*

*Permission to Erect a Greek Church at Galata.*

ART. XIV. Besides the Private Church, the Court of Russia shall have the right, in the same manner as other Powers, to erect a Church at Galata, in the street called Bey-Ugla, which Church shall bear the name of Russo-Greek Church, and shall always be under the Protection of the Russian Minister, exempt from all Taxes, and secure from attacks.

*Free Exercise of Christian Religion. Building and Repair of Churches.*

ART. XVI. (2.) Not to put, in any manner whatever, any obstacle to the exercise of Divine Worship, free in every respect, or to prevent the building of New Churches, or the repair of the old ones, as they were before.

*Restoration of Lands to Convents, &c.*

(3.) To restore to Convents and other Private Persons the Property and Lands around Braila, Choczim, Bender, &c., formerly belonging to them, but which have since been unjustly taken from them.

*Consideration towards Ecclesiastics.*

(4.) To recognise and to honour Ecclesiastics, according to their rank.

## *TERRITORIAL CONVENTION between Austria and Bavaria. Signed at Teschen, 13th May,* 1779.

[Referred to at page 439.]

*Navigation of Rivers Danube, Inn, and Salza.*

ART. V. The Rivers (Danube, Inn, and Salza) mentioned in the preceding Article, shall be common to the House of Austria and the Elector Palatine, wherever they touch the Countries ceded; neither of the two Contracting Parties shall alter the natural course of the Rivers, or prevent the Free Navigation and Free Passage to Subjects, Merchandise, Provisions, and Effects of the other, and neither of them shall be allowed to establish new Tolls, or any other Duties, under any other name whatever; the above stipulations shall also prevail for that part of the Jura which flows between the Bailiwick of Scharding and the County of Neubourg, held by the House of Austria.

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## *TREATY between Hungary and France, relative to the Limits of their respective States in the Netherlands. Signed at Brussels, 18th November,* 1779.

[Referred to at page 624.]

(Translation.)

*Removal of Impediments to the free use of the River Semoy.*

ART. XXX. In order to facilitate the communication of the Semoy with the Meuse to the Subjects of the Empress-Queen, the Most Christian King agrees to remove the difficulties which the Farmers of the Domanial Fisheries, or others of his Subjects, may have put in the way of the free use of the said River Semoy. The Commissioners for the execution of the present Convention will be instructed to adopt the necessary measures to put a stop to those impediments. The *Procès-Verbaux* which they have held to that effect shall be considered as forming part of this Convention.

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## *TREATY OF SUCCESSION of the House of Nassau, renewed in* 1783.

[Referred to at pages 253 and 1001.]

*Occasion and Object of this New Treaty of Succession.*

The original possession in common of all the ancient landed estates of the House of Nassau retained at the partition among brothers in 1255, is the basis of some subsequent Treaties of Succession, as well as of the Negotiations carried on for the last 200 years, and of the Treaty finally concluded in 1736.

Confirmation of the Treaty of 1736, according to the provisions here following:

1. Perpetual family engagements respecting all princely lands, whereby (*a*) the original possession in common of the old family landed estates is confirmed.

(*b.*) The Imperial property which has been acquired since the year 1255, or may hereafter be acquired, is included in this union.

(*c.*) Like provision respecting private property lying within the frontiers, or closely adjacent.

Reservation respecting mediatised possessions.

(*d.*) How property, at any future time acquired by right of the wives, is to be treated.

(*e.*) Acquisitions of apanaged Princes shall, in default of legal disposition, be incorporated in the family union like those of reigning Princes; heirs of allodial estates, however, to receive fair compensation.

Exemption of the Netherlands Barony and County of Spiegelberg from the family bond.

(*f.*) Both princely houses confirm and deliver to one another the civil joint-tenancy of all their German property so far as they have not already done so.

(*g.*) Prohibition of all alienations.

What are negotiations for any real alienation, and what shall not be considered as such.

(*h.*) Prohibition of all unfair unnecessary debts.

Definition and obligation of just debts.

Neither a son or relation is bound to pay unjust debts.

(*i.*) Necessity of the agnatic consent in all cases.

The present debts of all Princely Lines will be recognised.

(*k.*) Establishment of a perpetual fund for liquidating debts, acquiring, and improving property.

II. Personal perpetual bond of friendship between all Princes of the House.

Confirmation of the same.

(*a.*) By conventional arbitrations.

(*b.*) By fair active assistance in case of need.

(*c.*) By the general "Hausdirektorium" given to the House of Orange, and the recognition of the presidency conferred upon it.

(*d.*) By the special "Hausdirektorium" extended to the House of Saarbrück.

III. Provision in the event of future services.

1. Order of the Succession, by which

(*a.*) The law of primogeniture in each Line is to be observed without interruption; but

(*b.*) Posthumous Princes are to be provided for according to the custom of each of those Lines.

(*c.*) General establishment of agnatic Succession.

(*d.*) Particular provision as to the succession among themselves of the Using and Saarbrück Lines, as well as in case of the extinction of both.

(*e.*) Succession in the event of the extinction of the Nassau-Weilburg Male Line.

(*f.*) Succession in the event of the complete extinction of the Nassau-Saarbrück House.

(*g.*) Succession in the event of the extinction of the Orange-Nassau Male Line.

(*h.*) Upright behaviour of the last of a Line in the Government, and management of his property.

Precautions which may be taken by a successor to avoid bad management.

2. Regulations for guardians. (*a.*) With regard to the education of the children.

(*b.*) With regard to the management of property.

3. Last disposition of one of these Princes, its validity and particular object.

4. Provision for widows.

5. Provision for, and settlements upon, the daughters.

(*a.*) During the existence of both families.

(*b.*) After the extinction of one family, both as regards the

allowances to be made and the marriage portion, after due renunciation, as before mentioned.

(*c.*) Course to be followed should there be no widows or daughters unprovided for.

(*d.*) Particular ordinance respecting allodial succession.

In default of daughters, more distant heirs shall succeed in their order.

(*e.*) Ordinance as to the portion to be paid in case by the Landesfolger.

Sanction of further beneficial arrangements.

What is not specifically set aside for the allodial heirs, belongs to the Landesfolger.

6. Provision in the event of the extinction of the whole House of Nassau.

IV. Perpetual force of the present Treaty of Succession generally; especially—

(*a.*) Of its solemn ratification.

(*b.*) Covenanted allegiance of counsellors and servants.

(*c.*) Oath of fealty to be taken by subjects.

(*d.*) Introduction of the Common Prayer.

(*e.*) Permitted voluntary taking up of the joint tenancy.

(*f.*) Executive clause.

Signed at The Hague, 31 June
„ Krichheim „ 23
„ Biebrich „ 26
„ Saarbrucker „ 30
} 1783.

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*TREATY between Russia and Turkey. Signed at Constantinople,* $\frac{10\text{th}}{22\text{nd}}$ *June,* 1783.

[Referred to at page 752.]

Not given; relating to Commerce only.

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## *TREATY OF PEACE between Austria and the Netherlands. Signed at Fontainebleau, 8th November,* 1785.

[Referred to at pages 863 and 985.]

ART. TABLE.
6. Drainage of Waters in *Flanders.*

(Translation.)

*Drainage of Waters in Flanders.*

ART. VI. The High Powers will cause the Drainage of the Waters of Flanders and on the side of the Meuse, to be regulated in the most suitable manner and to the satisfaction of the Emperor, in order to prevent Inundations as far as possible. The High Powers even consent that to obtain that object, the necessary Land under their dominion shall be allotted on a reasonable footing. The Sluices which shall be constructed for that object on the Territory of the States-General, shall remain under their Sovereignty; and none shall be constructed in any part of their Territory, which might be detrimental to the defence of their Frontiers. Commissioners shall be respectively appointed, within one month after the exchange of the Ratifications, who shall determine the most convenient Localities for the said Sluices; they will agree upon those which shall be subject to a common Administration.

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## *DEFINITIVE TREATY of Peace between Russia and Turkey. Signed at Jassy,* $\frac{\text{9th December, 1791}}{\text{9th January, 1792}}$.

[Referred to at pages 751, 752, and 779.]

ART. TABLE.
7. Depredations of *Barbary* Pirates.

(Translation.)

*Depredations of Barbary Pirates.*

ART. VII. Commerce being the real, and the most lasting bond of reciprocal harmony, the Sublime Ottoman Porte, in renewing Peace and Friendship with the Russian Empire, hereby stipulates, as a proof of the sincerity with which she desires to give the most effectual encouragement to a secure and profitable Commerce between the subjects of the two Realms, to observe and execute Article LX of the Treaty of Commerce, concluded with the Russian

Empire, respecting the privateers of Algiers, Tunis, and Tripoli, and engages particularly, if any subject of Russia should be met with and captured by the Privateers of Algiers, Tunis, and Tripoli, or if the Pirates should appropriate any Ship or Property whatsoever, belonging to Russian Merchants to employ her authority with the States just mentioned, in such case, with the view to obtain the release of the Russian subjects who shall thus have been reduced to slavery, to procure the restoration to them of the Ship, commodities and goods, of which they may have been plundered, and to cause reparation to be made to the injured Parties for all losses resulting therefrom: and should it appear by authentic information, that the Firmans are disobeyed by the said States of Algiers, Tunis, and Tripoli, then the Sublime Porte, on the demand of the Minister or Chargé d'Affaires of the Russian Empire, binds itself to pay for, and repair such losses, out of its Imperial Treasury, within two months, or sooner, if possible, to compute from the day of the signature of such demand.

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## *TREATY OF PEACE between France and Spain. Signed at Basle, 22nd July*, 1795.

[Referred to at page 9.]

ART. TABLE.

9. Cession of Island of *St. Domingo* by *Spain* to *France.*

(Translation.)

*Cession of Island of St. Domingo by Spain to France.*

ART. IX. In exchange for the Restitutions mentioned in Article IV, the King of Spain, for himself and his Successors, cedes and abandons in full Property to the French Republic the whole of the Spanish part of the Island of St. Domingo in the Antilles.

(Annulled.)

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## *TREATY OF PEACE between Austria and France. Signed at Campo Formio, 17th October*, 1797.

[Referred to at pages 262 and 388.]

ART. TABLE.

4. Liquidation of Debts of Countries ceded to *France.*
6. Territories ceded by *France* to *Austria.*
10. Liquidation of Debts in ceded Countries.

(Translation.)

*Liquidation of Debts of Countries ceded to France.*

ART. IV. All the Debts mortgaged before the War on the soil of the Countries enumerated in the preceding Articles, and the Contracts for which shall be accompanied with the usual formalities, shall be chargeable to the French Republic. The Plenipotentiaries of His Majesty the Emperor, King of Hungary and Bohemia, will deliver the List as soon as possible to the Plenipotentiaries of the French Republic, and before the exchange of the Ratifications, in order that, before the exchange, the Plenipotentiaries of the two Powers may agree upon all the Explanatory or Additional Articles to the present Article and sign them.

*Territories ceded by France to Austria.*

ART. VI. The French Republic agrees that His Majesty the Emperor and King shall possess in full Sovereignty and Property the undermentioned Countries, namely: Istria, Dalmatia, the former Venetian Islands of the Adriatic, the Mouths of the Cattaro, the Town of Venice, the Lagoons and Countries included between the Hereditary States of His Majesty the Emperor and King, the Adriatic Sea, and a line, starting from the Tyrol, shall follow the Torrent before Gardola, crossing the Lake of Garda as far as Cise; from thence a Military line as far as Giacomo, which shall be described by Engineer Officers appointed on either side before the exchange of the Ratifications of the present Treaty. The Boundary line shall then pass the Adige to San Giacomo, following the left bank of that River as far as the Mouth of the Canal Blanc, including that part of Porto-Legnago, situated on the right bank of the Adige, with the district of a radius of 3,000 toises. The line shall proceed by the left Bank of the Canal Blanc, the left Bank of the Tartaro, the left Bank of the Canal called Polisella up to its Mouth in the Po, and the left Bank of the Great Po to the Sea.

*Liquidation of Debts in ceded Countries.*

ART. X. The Countries ceded, acquired, or exchanged by the present Treaty, shall carry with them to those to whom they shall belong the Debts mortgaged upon their Soil.

## *CONVENTION between Russia and Turkey, relative to the Ionian Islands. Signed at Constantinople, 21st March,* 1800.

[Referred to at page 338.]

ART. TABLE.

1. Seven Islands to form a Republic under the Sovereignty of *Turkey*. Guarantee by *Russia* of the Integrity of the States of the Republic, and maintenance of the Constitution.
2. Islands forming the Republic of the Seven Islands.

(Translation.)

ART. I. *Seven Islands to form a Republic under the Sovereignty of Turkey. Guarantee by Russia of the Integrity of the States of the Republic, and Maintenance of the Constitution.*

*Islands forming the Republic of the Seven Islands.*

ART. II. In consequence of Article I preceding the Islands of Corfu, Zante, Cephalonia, Santa Maura, Ithaca, Paxo, Cerigo, and all the Islands, great and small, inhabited and not inhabited, situated in front of the Morea and Albania, which have been detached from Venice and have been conquered, being subject to the Sublime Porte under the name of the Republic of the United Seven Islands, the said Republic and its Subjects shall enjoy in their Political Affairs, their internal Constitution, and their Commerce, all the Privileges enjoyed by the Republic of Ragusa and its Subjects; and the two High Contracting Courts, in order the better to exercise their right of Conquest over the said Islands, will accept and ratify, by solemn Acts, the internal Constitution of the said Republic, after having approved of it.

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## *DEFINITIVE TREATY of Peace between Austria and France. Signed at Luneville, 9th February,* 1801.

[Referred to at pages 6, 263, 388, 764, and 765.]

ART. TABLE.

2. Cessions to *France* on the left Bank of the *Rhine*.
3. Cessions to *Austria*.
6. Countries and Domains on left Bank of the *Rhine* to belong to *France*. Renunciation by *France* of all Possessions on the Right Bank of the *Rhine*.
8. Liquidation by *France* of Debts of ceded Countries.

(Translation.)

*Cessions to France on the Left Bank of the Rhine.*

ART. II. Are ceded to the French Republic by His Imperial and Royal Majesty, and with the formal consent of the Empire.

2. The Frickthal, and everything that belongs to the House of Austria, on the left Bank of the Rhine, between Zurich and Basle; the French Republic reserving to itself the Cession of the latter Country to the Helvetic Republic.

*Cessions to Austria.*

ART. III. In the same manner as a renewal and confirmation of Article VI of the Treaty of Campo-Formio,* His Majesty the Emperor and King shall possess in full Sovereignty and Property the Countries hereinafter mentioned, namely:

Istria, Dalmatia, and the former Venetian Islands of the Adriatic depending thereon, the Mouths of the Cattaro, the Town of Venice, the Lagoons and Countries included between the Hereditary States of His Majesty the Emperor and King, the Adriatic Sea, and the Adige on leaving the Tyrol, as far as its mouth in the said Sea; the Thalweg of the Adige forming the Line of Delimitation; and as by that Line the Towns of Verona and Porto-Legnago will be divided, Drawbridges shall be established in the middle of the Bridges of the said Towns.

*Countries and Domains on the Left Bank of the Rhine to belong to France.*

ART. VI. His Majesty the Emperor and King, as well in his name as in that of the Germanic Empire, agrees that the French Republic should henceforth possess, in full Sovereignty and Property, the Countries and Domains situated on the left Bank of the Rhine, and which formed part of the Germanic Empire; so that in conformity with what had been expressly agreed to at the Congress of Rastadt by the Deputation of the Empire, the Thalweg of the Rhine should henceforth be the limit between the French Republic and the Germanic Empire, namely, from the point at which the Rhine leaves the Helvetic Territory to that at which it enters the Batavian Territory.

*Renunciation by France of all Possessions on the Right Bank of the Rhine.*

In consequence whereof, the French Republic formally renounces to all Possessions whatever on the Right Bank of the

* 17th October, 1797. Page 2017.

Rhine, and agrees to restore to whom they may belong the Places of Dusseldorf, Ehrenbreitstein, Philippsburg, the Fort of Cassel, and the other Fortifications opposite Mayence, on the Right Bank, the Fort of Kehl and the Vieux Brisach, with the express condition that those Places and Forts shall remain in the state in which they are found at the time of the Evacuation.

*Liquidation by France of Debts of ceded Countries.*

ART. VIII. In all the Countries ceded, acquired, or exchanged by the present Treaty, it is agreed, as it had been agreed by Articles IV and X of the Treaty of Campo-Formio, that those to whom they should belong should take charge of the Debts mortgaged on the Soil of the said Countries; but considering the difficulties which have arisen on the subject, on the interpretation of the said Articles of the Treaty of Campo-Formio, it is expressly understood that the French Republic only undertakes the Debts arising out of Loans formally agreed to by the States of the ceded Countries, or the expenses incurred for the effective administration of the said Countries.

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## *RECES of the German Empire, relative to the Indemnities agreed upon by the Treaty of Luneville.* Signed at Ratisbonne, 25th February,* 1803.

[Referred to at pages 66, 87, 89, 204, 205, 239, 240, 247, 253, 280, 446, 467, 570, 1116, and 1117.]

ART. TABLE.

1. Indemnities to the Emperor of *Austria*, the Archduke Grand Duke of *Austria*, and the Duke of *Modena*.
2. Indemnities to the Elector Palatine of *Bavaria*.
3. Indemnities to the King of *Prussia*, the Duke of *Aremberg*, and the Princes of *Salm*.
4. Indemnities to the King of *England*, Elector of *Brunswick-Luneburg*, and to the Duke of *Brunswick-Wolfenbuttel*.
5. Indemnities to the Margrave of *Baden*.
6. Indemnities to the Duke of *Wurtemberg*.
7. Indemnities to the Landgrave of *Hesse-Cassel* and *Hesse-Darmstadt*.
8. Indemnities to the Duke of *Holstein-Oldenburg*.
9. Indemnities to the Duke of *Mecklenburg-Schwerin*.
10. Indemnities to the Dukes of *Hohenzollern-Mechingen* and *Hohenzollern-Sigmaringen*.
11. Indemnities to the Prince of *Dietrichstein* and the Prince of *Ligne*.
12. Indemnities to the Princes of *Nassau-Usingen*, *Nassau-Weilburg*, and *Nassau-Dillenburg*.

* 9th February, 1801, page 2019.

ART. TABLE.

13. Indemnities to the Prince of *Tour* and *Taxis*.
14. Indemnities to the Prince and Counts of *Loewenstein-Wertheim*.
15. Indemnities to the Prince of *Oettingen-Wallerstein*.
16. Indemnities to the Princes and Counts of *Solms*.
17. Indemnities to the Princes and Counts of *Stollberg*.
18. Indemnities to the Prince of *Hohenlohe-Bartenstein*, the Heads of the two Branches of *Hohenlohe-Waldenburg*, and the Princes of *Hohenlohe-Ingelfingen*, and *Hohenlohe-Neuenstein*.
19. Indemnities to the Prince and Princess of *Isenburg*.
20. Indemnities to the House of *Linange*.
21. Indemnities to the Prince of *Wied-Runkel*.
22. Indemnities to the Prince of *Brezenheim*.
23. Indemnities to the Prince of *Wittgenstein-Berleburg*.
24. Indemnities to the Counts of the Empire.
25. Indemnities to the Elector Arch-Chancellor of the Empire, and the Archbishop and Primate of the Empire.
26. Indemnities to the *Teutonic* and *Maltese* Orders.
27. Privileges of the College of the Imperial Towns, consisting of the Towns of *Augsburg*, *Lubeck*, *Nuremburg*, *Frankfort*, *Bremen*, and *Hamburgh*. Indemnities.
28. Indemnities to the Equestrian Order.
29. Indemnities to the *Helvetic* Republic.
30. Power to Redeem Perpetual Annuities.
31. Electoral Dignity conferred on the Archduke Grand Duke, the Margrave of *Baden*, the Duke of *Wurtemberg*, and the Landgrave of *Hesse-Cassel*.
32. Votes conferred on Princes of Empire in the College of Princes.
33. Privileges of *Non-appellando*.
34. Property of the Grand Chapters.

35 & 36. Property of Chapters not formally included in Arrangements, to be at the disposal of the respective Territorial Princes.

37. Property and Revenues of Hospitals, Manufactories, Universities, Colleges, &c.
38. Debts on Lands and Properties assigned as Indemnities.
39. Tolls on the Right and Left Banks of the *Rhine*.
40. Fiefs on the Right Bank of the *Rhine* to be held by the Emperor.
41. Votes of Counts and Ecclesiastics.
42. Male and Female Convents.
43. Period at which Indemnities are to take effect.
44. Transfers made by Abbeys and Convents declared null.
45. Family Succession.
46. Exchanges allowed for one year between Princes, &c., of the Empire.
47. Condition of former Sovereigns and Holders and of the Clergy, &c., depending on them.
48. Rank and Dignity of Deposed Sovereigns.
49. Jurisdiction of Prince-Bishops, Abbots, &c.
50. Residence of Deposed Sovereign Ecclesiastics.
51. Maintenance of Deposed Ecclesiastics.

52 to 59. Indemnities to Suffragan Bishops, &c.

60. Political Constitution of Secularised States.
61 to 68. Ecclesiastical Arrangements.
69 & 70. Indemnities to the Elector and Archbishop of *Trèves*.
71. Maintenance of the Grand Chapter of *Cologne*.
72 to 74. Ecclesiastical Arrangements.
75. Indemnities to the Prince-Bishop of *Basle* and the Prince-Bishop of *Liège*.
76. Indemnities to Ecclesiastics on the Right Bank of the *Rhine*.
77. Payment of Debts belonging to Countries given as Indemnity.
78 to 84. Mortgage Creditors in subdivided Districts and Debts.
85. Arbitration in cases of difference relative to Maintenance of the Clergy and Debts.
86 to 89. Maintenance of the Imperial Chamber.

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## *CONVENTION between France, Oldenburg, and the Mediating Powers, relative to the Regulation of Territorial Indemnities and the Suppression of the Elsfeth Toll. Signed at Rastadt, 6th April,* 1803.

[Referred to at page 570.]

ART. TABLE.

1. Perpetual abolition of the *Elsfeth* Tolls.
2. Territorial Indemnities to be given to the Duke of *Oldenburg*.

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## *CONVENTION between France and the Reigning Count of Bentheim-Steinfurt. Signed at Paris, 12th May,* 1804.*

[Referred to at page 396.]

ART. TABLE.

Preamble.
1. Restoration of *Bentheim* to the Count of *Bentheim-Steinfurt*.
2. Guarantee of Possession by *France* to the Duke of *Bentheim-Steinfurt*.

* Ratified at Paris, 22nd May, 1804.

(Translation.)

His Excellency the Count of Bentheim-Steinfurt having represented to the French Government—1. That the County of Bentheim had been pledged for 30 years to the King of England as Elector of Hanover, by the deceased Count of Bentheim. 2. That that Engagement made in the year 1752 should have ceased in the year 1782. 3. That it has nevertheless continued to exist ever since in fact, but without a formal renewal, without the consent of the Feudal Successor, and without the Imperial Ratification. 4. That the death of the last Count of Bentheim-Bentheim consequently destroys that Engagement by right, and that the Count of Bentheim-Steinfurt is sufficiently authorised to claim the possession of the said County on the payment of the sum for which it has been pledged, without any reduction of the Arrears and other sums, of which the King of England in his quality of Elector of Hanover remains a Debtor to the Count of Bentheim-Bentheim. 5. That the Count of Bentheim-Steinfurt is obliged to apply to the French Government as the actual Possessor of the Kingdom of Hanover both to liquidate the sum for which the said County has been pledged, and to recover its possession: all these matters having been taken into consideration, and the First Consul taking, in this instance, into account both the claims of the Count of Bentheim-Steinfurt and the support given to them by the Courts of Prussia and Denmark, the Minister for Foreign Affairs has been authorised formally to conclude a Private Convention with the Reigning Duke of Bentheim-Steinfurt, the Articles of which are as follows:

*Restoration of Bentheim to the Count of Bentheim-Steinfurt.*

Art. I. His Excellency Count de Bentheim-Steinfurt will be put into possession of the County of Bentheim, with all the necessary formalities customary in Germany, on condition that he pays immediately into the Hanoverian Treasury the sum of 800,000 francs, which, without the defalcation, on which the French Government does not dwell, constitutes the primitive sum for which the Count was bound.

*Guarantee of Possession by France to the Duke of Bentheim-Steinfurt.*

Art. II. The French Government guarantees to the Count of Bentheim-Steinfurt the maintenance and full effect of this Convention, whatever may be the ultimate fate of the Kingdom of of Hanover.

Done in duplicate between the Undersigned at Paris, the 12th May, 1804.

CH. MAU. TALLEYRAND.
LOUIS, Reigning Count of Bentheim.

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*CONVENTION between France and Germany, relative to the Navigation Dues on the Rhine. Signed at Paris, 15th August*, 1804.

[Referred to at pages 79, 85, and 88.]

| ART. | TABLE. |
|---|---|
| 8. | Forced Sales (*Droit d'Etape*) suppressed. Toll Dues preserved. |
| 73 to 77. | Pensions to Director-General, Receivers, Inspectors, &c. |
| 78. | Annual Grants to Widows and Orphans. |
| 94. | Duties on Vessels of 50 Hundred Weight and upwards. |
| 102 to 105. | Abatement of Duties on certain Articles. |

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*ADDITIONAL CONVENTION of Peace and Limits between Austria and France. Signed at Fontainebleau, 10th October*, 1807.

[Referred to at page 263. Annulled.]

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*CONVENTION between Prussia and Saxony, relative to the Depôts belonging to the Duchy of Warsaw. Signed at Dresden, 10th September*, 1810.

[Referred to at page 117.]

| ART. | TABLE. |
|---|---|
| 1. | Transfer by *Prussia* to the Duchy of *Warsaw* of sums belonging to the Depôts of that Duchy, amounting to 675,650 crowns (*écus*) 10 gros 5½ deniers. Amount still in dispute, 2,774 crowns 21 gros 4⅔ deniers. |
| 2. | Commissioners to be appointed to settle Disputed Amount. |
| 3. | Mode of carrying out the Transfer. |
| 4. | *Prussian* Claims to be proved by *Prussian* Commissioner. |
| 5. | *Prussian* Government to deliver up all Securities and Documents relating thereto. |
| 6. | *Prussian* Government to restore the Pupillary Depôt, amounting to 4,304 crowns 18 gros and two Documents belonging to the Pupillary Depôt of *Posen*. |

7. Reimbursement of Sums belonging to the Tribunals.
8. Delivery to Government of *Warsaw* of certified Copies of Boundary Treaties between *Prussia* and *Russia*, with Maps, and Original Plans of Fortresses of *Lenczyc* and *Czentochow*.
9. Delivery to Government of *Warsaw* of complete Statement of Depôts belonging to the Department of *Bialystok*, and Indemnity to be given by *Prussia*.
10. Delivery to Government of *Warsaw* of Documents of *Serreye* National Property, as well as Acts, Plans, and Estimates of the Lordship of *Wielona*, together with Acts and Plans relating to the Navigation of Rivers of New Eastern *Prussia*.
11. Delivery to Government of *Warsaw* of Acts and Papers relating to Provisions supplied to *Russians* in 1805 and 1806. Commissioners to settle the Accounts.
12. Stipulations of Treaty and Labours of Commissioners to be concluded in 3 months.
13. Decrees on Capital and Property of respective Subjects in Duchy of *Warsaw* and in *Prussia* to be annulled.
14. Laws to be Adopted in Settling Conditions of Treaty.
15. Claims by former *Prussian* Officials in Duchy of *Warsaw*.
16. Ratifications.

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## *TREATY between Baden and Wurtemberg, relative to Territorial Cessions. Signed at Paris, 2nd October*, 1810.

[Referred to at page 662.]

ART. TABLE.

2. Cessions by *Wurtemberg* to *Baden*.
3. Cessions by *Wurtemberg* to *Baden*.
4. The Cession includes all Rights.
5. Debts.
6. Pensions.
7. Persons in Public Service.
8. Private Rights.
9. Arrears, &c.
10. Landed Proprietors.
11. Emigration.
12. Conscripts.
13. Treatment of most favoured Nation. Duties not to be levied.
14. Insurance Fund.
15. Widows of Clergymen.
16. Commissioners for arranging Details.
17. Complement of 45,000 Souls.
18. Execution.
19. Modifications.
20. Ratifications.

(Translation.)

*Cessions by Wurtemberg to Baden.*

ART. II. Namely (1) The former Landgraviate of Nellenburg, or the present Superior Bailiwick of Stockach, comprising the town of Stockach, with the suburb Achen; Bodmann, with Bodenwald, Frauenberg, Kargegg, Mooshof, Müllersberg, and Remishof; Espasingen, village, with Spitelsberg; Heudorf, Dauenberg, Guggenhausen, with Betzmühle; Glashütte, Rorgenwies, with Geistermühle; Hindelwangen, Braunenberg, Buechthal, Busshof, Hechlen, Nellenburg, Unterschoren, Zozzeneck, Hoppedenzell, Wolfholz, Barenberg, Lipptingen, with Edelstetter Mill, Schäfshof, Waldhof, and Wehestetten; Mahlspüren, Mühlingen, Eschenreute, Haldenhof, Hotterloch, Reichlnigshag, Neunzingen, Oberschwandorf, Unterschwandorf, with Ilgenthal, Holzach, with Hattlenmühle and Mainwangerhof; Obermühle in Mainwangen, Schafhäutle, Volkertsweiler, Oefingen, Langenstein, Dänischer-Hof, Sardinischer-Hof, Portugiesischer-Hof, Reebhaus, Ziegelhütte, Raithasslach, Schwackenreute, Sernadingen, with Weisenhof, Regentsweilerhof, Bühlhof, and Airach, also Bannwartshäuschen, Sipplingen, Stahringen, with Homburg, Schloss and Hof, with Rossberghof; Wahlwies, Winterspühren, Hengelau, Ursaul, Zizenhausen, Eisenbergwerk, Blaichen, Seggehof, Stampfwieser, Windegg Hof, Aach, town and village with two mills; Beuren, Binningen, Hohenstoffeln, Schloss and Hof; Hofwiesen, Starzeln Hof, Duchtlingen, Hohenkrähen, Eigeltingen, Probsthof, Lochmühle Mühlhausen, Maierhöfe, Mädgtberg, Ziegelhütte, Reute, Schlatt under Krähen, Steisslingen with Hartmühle, Meiershof, Wiex, Volkertshausen, Hammerschmitte, Papiermühle, Weiterdingen, with the holy Grabkapelle, Weiler on the lake, Lochmühle, Homboll, Pfaffenwies, Radolphzell, Arlen, Diethfurth, Bietingen, Böhringen, Hofreuthe, Haltenstetten, Riekelshausen, Biesingen, Ebringen, Friedingen, Harthof, Gottmadingen, Heilsberg, Hausen, Hemmenhofen, Randegg, Murr and Kaltenbach, Karpenhöfe, Singen, Remishof, the Sinnerei in Niederhofen, Ueberlingen, Mönchhof, castle and hamlet, Homberg with Hirschlandenhof, Brielholz, Schweingrüben, Stohren, 3 Höfe, Mainwangen, Madachhöfe, Nozenberg, Reissmühle.

*Cessions by Wurtemberg to Baden.*

ART. III. (2.) Of the Superior Bailiwick of Hornberg: Hornberg town with castle, Stab Brigach with Sommerau, Stab Buchen-

berg with Münchhof and Muhllehn, Stab Gutach with Hohenweg, Stab Kirnach, Stab Kürnbach, Königsfeld, Stab Langenschildach, Mönchweiler, Stab Peterzell, Stab Reichenbach, Schiltach town, Schiltach fief court, St. Georgen with Stockwald, Stab Stockburg with Schoren, Stab Weiler, Stab Thennenbronn with Oberschiltach.

(3.) Of the Superior Bailiwick of Rottweil: Schabenhausen, Fishbach, Sickingen, Kappel, Niedereschach, Dauchingen, Weilerspach.

(4.) Of the Superior Bailiwick of Tuttlingen: Biessingen with mill, Oberbaldingen with mill, Oeffingen, Sundhausen, Wurtemberg part, Buchheim, Gutenstein, Ablach, Altheim, Engelwies.

(5.) Of the Superior Bailiwick of Ebingen: Stetten at the cold market, Hausen in the valley, Neudingen, Nusplingen, Oberglashütte, Unterglashütte, Schweiningen, Werwag, Heinstetten, Hartheim, Langenbrunn, Kallenberg.

(6.) Of the Superior Bailiwick of Maulbronn: Kieselbronn, Oeschelbronn, Ruith with Rothenbergerhof.

(7.) Of the Superior Bailiwick of Brackenheim: Kürnbach, Wurtemberg part.

(8.) Of the Superior Bailiwick of Mergentheim: Oberbalbach, Unterbalbach, Wurtemberg part.

ARTS. IV to XX. (See Table.)

Paris, 2nd October, 1810.

(L.S.) HEINRICH LEVIN (Count of Wintzingerode).
(L.S.) BARON VON ANDLAU.

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*BOUNDARY ACT between Russia and Sweden. Signed at Tornea, 20th November,* 1810.

[Referred to at page 745.]

TABLE.

ART.
1. Boundary between *Russia* and *Sweden.*
2. Choice to be made within 5 Years by Persons holding Property on either Side of the Rivers *Tornea, Muonio,* and *Kongama.*
3. Freedom for 3 Years to Inhabitants on both Banks of the *Tornea* and *Muonio* to frequent their Churches. Indemnity at the end of 3 Years.
4. Means of Communication to be enjoyed by Inhabitants on both sides of the Banks.
5. Salmon Fishery guaranteed for 100 Years to actual Possessors.
6. Topographical Description of Boundary.
7. Extradition of Criminals.
8. Ratifications.

(Translation.*)

*Boundary between Russia and Sweden.*

ART. I. The Line of Demarcation between the Kingdom of Sweden and the Empire of Russia, starting from the Norwegian Frontier between the two Mountains Kolta-Pahta and Kecokima-Pahta or Paikas Waara, from the point at which the little River Radje-Johka takes its source in Lake Kolta-Jaur, descends that River through Lake Kuokima-Jaur, as far as its Mouth in Lake Ylinen-Kilpis-Jaur, then dividing the first Lake in two, as well as the second Alanen-Kilpis-Jaur, and passing from thence by Lake Tatsa-Jaur, in the Kongama, it follows the Channel of that River through Lakes Kjeli-Jaur, Mucka-Jaur, Pousu-Jaur, Latina-Lahti, Naimaka-Jaur, Kallotti-Jaur, as far as the confluence of Kongama and Latas-Eno; from that point where the Muonio takes its name, the Line continues along that River, and after its Mouth in the Tornea, it follows the Channel of the latter to the North of the Peninsula Svensaro; here it leaves the Channel, and passing to the West by the Rivulet called Naran and the Gulf of the Town, leaving the Island of Kalfholmen on the right, it rejoins the Channel of the River to the South of the Town of Tornea, following it afterwards as far as the Mouth of the River in the Sea. In this manner all the Possessions situated on the right of that Line belong to Sweden, and those on the left to Russia. The Frontier places on the Swedish side, from North to South, are:—Mauro, Gunnari, Karatsuvando, Kuttanen, Muonion-Alusta, Parkajoensumi, Kuncki, Kiexiowarra, Vttumusdka, belonging to the Kengis forge, Kardis, Jarliois, Pello, Svansten forge, Juoxanki, Marjosaari, Kuivakangas, Haapakila, Matarengi with the Osver-Tarnea Church, Ruskola, Alkula, Niemis, Armassaari, Koivukyla with the Histanemi Church, Peckila, Vitzaniemi, Potila, Korpikyla, Carungi with the Karl Gustaf Church, Kuckola, Vajackala, Mattila, Haaparanda. The places on the Russian side are:—Naimaka, Kellotti, the Enontekis Church, Palojoensun, Songa-Muodka, Ketkesnvando, Ofver-Muonioniska, Neder-Muonioniska, Killangi, Kolare, Joekijalka, Pello, Mammila, Turtula, Juoxangi, Kauosaari, Marjosaari, Kauliranda, Kuivakangas, Narki, Alkula, Niemis-Armassaari, Helsingsby, Koopikyla, Karungi, Kuckola, Najackala, Kiviranda, the Town of Tornea on the Peninsula of Svensaroe, the Church of Neder-Tornea, Hallala, and Netsaari, on

* For French version, see "State Papers," vol. viii, p. 750.

the Island of Bjorkon. From the mouth of the Tornea in the Sea, the Frontier proceeds along the Gulf of Bothnia, through the middle of the Quarken and of the Alandshof as far as the Baltic Sea, so that the most advanced points of the Russian Possessions are, on the North of the Gulf, the Islands of Bockholm, Sællœn, with the port of Rautchamm, as well as the Island of Ostra-Sarven-Maat, and on the South, the Aland Islands and the Island of Singelskar.

All the Islands situated to the East of the greatest depth of the Lakes and of the Channel or Thalweg of the 3 Rivers above mentioned, belong to Russia, and those to the West of the same Line to Sweden, with the only exception of the Peninsula of Svensaroe, upon which the Town of Tornea is found.

In the same manner, from the Mouth of the River Tornea, the Islands nearest to the Coasts of Finland and the mainland of Aland belong to Russia, and to Sweden those which are near its Coasts.

ARTS. II to V. (See Table.)

[Referred to at pages 747, 748, 750, 751, 777, 779, 785, 788, 832, and 836.]

*Topographical Description of Boundary.*

ART. VI. The Topographical Description which shall indicate, according to the Maps drawn up, in their minutest details the direction of the Limits, and the position of the Posts and other Landmarks, signed and sealed by the respective Commissioners, shall have the same force and value as if it were inserted word for word in the present Treaty.

ARTS. VII and VIII. (See Table.)

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## *TREATY OF PEACE between Russia and the Ottoman Porte. Signed at Bucharest, $\frac{16}{28}$th May,* 1812.

ART. TABLE.

1. Peace and Friendship.
2. Amnesty.
3. Renewal of Treaties.
4. Boundaries between *Russia* and *Turkey.*
5. Restoration by *Russia* of *Moldavia* and *Wallachia* to *Turkey,* as well as the Islands of the *Danube,* except those specified in Article IV.

6. Frontiers of *Asia* and other Parts re-established as they existed before the War.
7. Mahomedans and others in Countries ceded to *Russia* allowed to Emigrate to *Turkey*, and to Sell their Possessions, &c. Christians in *Turkey* allowed to emigrate into the ceded Countries, and to sell their Possessions, &c., in *Turkey*.
8. Privileges of *Servia*.
9. Surrender of all Prisoners of War on both sides, except Christians who have become Mahomedans in *Turkey*, and Mahomedans who have become Christians in *Russia*.
10. Settlement of Claims.
11. Evacuation of *Ottoman* Territory by *Russian* Troops, and of *Ottoman* Waters by *Russian* Naval Forces.
12. Indemnity for Depredations of *Barbary* Pirates. Commercial Privileges.
13. Good Offices of *Turkey* in the War between *Russia* and *Persia*.
14. Orders for the Cessation of Hostilities to be sent to Naval and Military Commanders.
15. *Russian* and *Turkish* Plenipotentiaries to ratify the Treaty.
16. Exchange of Ratifications.

(Translation.*)

ARTS. I and II. (See Table.)

*Renewal of Treaties.*

ART. III. All Treaties, Conventions, Acts, and Stipulations, concluded and agreed upon at different stated periods between the Imperial Court of Russia and the Sublime Ottoman Porte, are fully confirmed, with the exception of those Articles in which changes have successively been made, as well in the present as in former Treaties; and the two High Contracting Parties engage religiously and inviolably to maintain them.

*Boundaries between Russia and Turkey.*

ART. IV. By Article I of the Preliminaries previously signed, it is stipulated that the River Pruth, from its entrance in Moldavia to its Confluence with the Danube, and the left Bank of the Danube, from its Confluence to the Mouth of the Kili and to the Sea, shall form the Limits of the two Empires. That Mouth shall be common to both. The small Islands inhabited before the War, and which, starting opposite Ismail to the said Mouth of the Kili are nearest to the left Bank, which is to belong to Russia, shall not be held by either of those Powers. No Fortifications or Buildings shall henceforth be erected thereon; they shall remain deserted, and the respective Inhabitants shall only be allowed to resort thither to fish and to cut wood. The Coasts of the two

* For French version, see "State Papers," vol. xiii, p. 909.

Great Islands* situated opposite Ismail and Kili, shall also remain desert and uninhabited, at a distance of one hour starting from the nearest point of the aforesaid left Bank of the Danube; that space shall be marked by signs, the habitations existing before the War as well as the old Kili, remaining outside of that line of Demarcation. In consequence of the above-mentioned Article, the Sublime Porte cedes and abandons to the Imperial Court of Russia, the Countries situated on the left Bank of the Pruth, with the Fortresses, Burghs, Villages, and Habitations therein, and the middle of the Pruth shall be the Limit between the two High Empires.

ARTS. V to VII. (See Table.)

*Privileges of Servia.*

ART. VIII. In conformity with the stipulations of Article IV of the Preliminaries, although it is certain that the Sublime Porte, in accordance with its principles, will act with clemency and generosity towards the Servian Nation, which is, *ab antiquo*, Subject and Tributary to that Power, considering the part which the Servians have taken in the operations of that War, it has been considered expedient to stipulate expressly for their safety. The Sublime Porte, therefore, grants to the Servians a general Pardon and Amnesty, and they shall in no way be molested for their past actions. The Fortifications which may have been erected as a result of the War, in the Countries inhabited by them, and which did not formerly exist, becoming henceforth useless, shall be destroyed, and the Sublime Porte shall resume possession as formerly of all the Fortresses, Palankas, and other fortified Places which have always existed, with the Artillery, Munitions, and other War Materials, and shall establish Garrisons therein, as it may think fit. But in order that those Garrisons shall in no way annoy the Servians contrary to the Rights of the Subjects, the Sublime Porte, moved by a feeling of clemency, will settle with the Servian Nation the necessary securities. It will grant to the Servians, at their request, the same advantages which are enjoyed by its subjects of the Islands of the Archipelago and other Countries, and will make it feel the effects of its high clemency in making over to them the administration of their internal affairs, in fixing the whole of their Tributes, in receiving them from their own hands, and will, in short, settle all these matters with the Servian Nation.

ARTS. IX to XVI. (See Table.)

* Altered by Convention of 7th October, 1826 (**No. 131**).

## *CONVENTION of Alliance and Subsidy between Great Britain and Prussia. Signed at Reichenbach, 14th June,* 1813.

[Referred to at page 173.]

ART. TABLE.

1. Alliance against *France.* Restoration of Hereditary States to the House of *Brunswick-Lunenburgh,* and to the Ducal House of *Brunswick.*
2. Army to be Maintained by *Prussia.*
3. Succours to be furnished by *Great Britain* in 1813.
4. Renewal of Engagements if the War be prolonged beyond 1813.
5. High Contracting Parties to Act in concert, and not to enter into Separate Conventions with the Enemy.
6. Officers to be accredited to Commanders-in-Chief in Armies in Active Service.
7. Co-operation of *British* Navy.
8. Communication of Treaty.
9. Ratifications.

(Translation.*)

*Alliance against France. Restoration of Hereditary States to the House of Brunswick-Lunenburgh, and to the Ducal House of Brunswick.*

ART. I. The object of the present War being to re-establish the Independence of the States oppressed by France, the two High Contracting Parties bind themselves, in consequence, to direct all their Operations towards that end; and as, in order to accomplish the same, it will be essential to replace Prussia in possession of her relative power, and to prevent France from ever occupying henceforward any of the Strong Places in the North of Germany, or exercising any sort of influence in that quarter; His Majesty the King of the United Kingdom of Great Britain and Ireland engages to co-operate effectually to that end. On the other hand, His Majesty the King of Prussia, who, in his transactions with Russia, has already expressly reserved the Rights of the House of Brunswick-Lunenburgh upon Hanover, will co-operate with all his means towards the restoration of their Hereditary States, to that August House, and to the Ducal House of Brunswick.

*Army to be maintained by Prussia.*

ART. II. In consequence of the preceding Article, the two High Contracting Parties have agreed to assist each other, with

* For French version, see "State Papers," vol. i, p. 58.

every means which Providence has placed at their disposal; and His Majesty the King of Prussia engages to maintain in the field an Army of 80,000 men, exclusive of the Garrisons in the Fortresses.

*Succours to be furnished by Great Britain in* 1813.

ART. III. England, on her side, engages to place at the disposal of His Prussian Majesty the following Sums, for the year 1813:

1. £666,666 13*s.* 4*d.*, payable in London, monthly; so that the whole amount shall be discharged by the 1st January, 1814.

2. In order to supply the deficiency of Coin, and to combine, in this great Struggle, every means which can insure its success, the two High Contracting Parties, in concert with His Majesty the Emperor of All the Russias, have agreed to create a Paper Money, under the denomination of Federative Paper.

*a.* The amount of this Paper shall not exceed the sum of £5,000,000, which the 3 Contracting Powers are conjointly to guarantee; two-thirds whereof are to be placed at the disposal of Russia, and one-third at the disposal of Prussia.

*b.* The Reimbursement of the said sum of £5,000,000 is to be made in the following proportions: England engages for three-sixths, Russia two-sixths, and Prussia one-sixth.

*c.* This Reimbursement is not to begin to take effect before the 1st July, 1815, or till 6 months after the conclusion of a Definitive Treaty of Peace.

*d.* The sum of £5,000,000 of Federative Paper about to be issued shall be applied in no case to any other purpose than the expenses of the War, and the support of the Armies in the Field.

*e.* A Commission, appointed by the 3 Contracting Powers, shall regulate everything relative to the distribution of this Sum, the Payments of which shall be made progressively from month to month.

Every thing which regards the Form, the Guarantee, the Issue, the Employment, the Circulation, and the Reimbursement of this Paper, shall be regulated in a more formal manner, by a Special Convention, the Stipulations of which shall have the same force and validity, as if they were inserted, word for word, in the present Treaty.

*Renewal of Engagements if the War be prolonged beyond* 1813.

ART. IV. Although the present Treaty only stipulates for the

Succours to be furnished by Great Britain for the year 1813, nevertheless, as the reciprocal Engagements of the two High Contracting Parties are to be considered with reference to the whole duration of the present War, they formally promise to come to a fresh understanding, as to the assistance to be mutually afforded to each other, if, which God forbid, the War should be prolonged beyond that period, and chiefly in order to give a greater development to their exertions.

*High Contracting Parties to Act in Concert, and not enter into Separate Conventions with the Enemy.*

ART. V. The two High Contracting Parties will act in the most perfect concert, with regard to Military Operations, and will communicate frankly with each other on what relates to their policy; and further, they reciprocally engage to enter into no Separate Negotiation with the common enemy, and sign neither Peace, nor Truce, nor any Convention whatever, otherwise than by common consent.

*Officers to be accredited to Commanders-in-Chief in Armies in Active Service.*

ART. VI. Officers may be accredited to the Commanders-in-Chief of the several Armies in active service; they will be entitled to correspond with their Courts, and keep them constantly informed of the Military events which shall have occurred, as well as of everything relative to the Operations of those Armies.

*Co-operation of British Navy.*

ART. VII. The British Navy shall co-operate, wherever it is practicable, in the Defence of the Prussian States, in support of the Military Expeditions in aid of the common Cause, and in the Protection of the Commerce of Prussia.

ARTS. VIII and IX (see Table).

Done at Reichenbach, the 14th June, in the year of Our Lord, 1813.

(L.S.) CHARLES STEWART (Lieutenant-General).
(L.S.) CHARLES AUGUSTUS, BARON DE HARDENBERG.

## *PRELIMINARY TREATY of Alliance between Austria and Bavaria. Signed at Ried, 8th October,* 1813.

[Referred to at pages 29, 30, 437, and 594.]

ART. TABLE.

1. Peace and Friendship.
2. Co-operation for Re-establishment of Peace in *Europe*. *Bavaria* disengages herself from the Confederation of the *Rhine*.
3. Mutual assistance during the War.
4. Guarantee by *Austria* of Sovereignty of *Bavaria* over all her Possessions.
5. *Bavarian* Army to form part of the *Austrian* Army.
6. Date of Co-operation of both Armies.
7. Trophies, &c., to belong to the capturing Troops.
8. Treaty of Alliance* to be concluded.
9. Power to conclude a Military Treaty.
10. Neither Party to enter into Peace Negotiations without consent of the other.
11. Ratifications.

### *Separate and Secret Articles.*

1. Dissolution of the Confederation of the *Rhine*, and Independence of *Bavaria*.
2. Cessions to be made by *Bavaria*.
3. Indemnities to be made for Cessions to *Bavaria*.
4. New Boundary between *Austria* and *Bavaria* to be arranged after the War.
5. Strength of Armies to be maintained by *Austria* and *Bavaria* during the War.
6. Military Arrangements.
7. Maintenance of *Austrian* Troops in the *Tyrol*. *Austrian* Troops to assist *Bavarian* Troops in the *Tyrol* in case of attack by the Enemy.
8. Cessation of Hostilities between the Allied and *Bavarian* Troops. Mutual Surrender of Prisoners.
9. Good Offices of *Austria* between *Great Britain* and *Bavaria*.
10. Adhesions of *Prussia* and *Russia* to the Treaty.
11. Secret Articles to have the same Force as the Treaty.

### *Additional Secret Articles.*

1. Co-operation of *Austrian* with *Bavarian* Troops.
2. Division of Trophies whilst Armies act together.
3. Maintenance of *Austrian* Troops, &c.

(Translation.†)

ARTS. I to III (see Table).

* Bavaria acceded to the General Treaty of Alliance of 25th March, 1815.

† For French version, see "State Papers," vol. i, p. 106.

*Guarantee by Austria of Sovereignty of Bavaria over all her Possessions.*

ART. IV. His Majesty the Emperor of Austria guarantees, both in his name as in that of his Allies, to His Majesty the King of Bavaria the free and peaceful enjoyment, as well as the full and entire Sovereignty over all his States, Towns, Domains, and Fortresses, of which she was in possession before the beginning of Hostilities.

ARTS. V to XI (see Table).

Done at Ried, 8th October, 1813.

(L.S.) HENRI XV, PRINCE DE REUSS-PLAUEN.
(L.S.) COMTE DE WREDE.

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SEPARATE AND SECRET ARTICLES.

*Dissolution of the Confederation of the Rhine and Independence of Bavaria.*

ART. I. The two High Contracting Powers consider as one of the principal objects of their efforts in the actual War, the dissolution of the Confederation of the Rhine, and the entire and absolute Independence of Bavaria, in such manner that, disengaged and placed beyond all Foreign influence, she may enjoy her full Sovereignty.

*Cessions to be made by Bavaria.*

ART. II. His Majesty the King of Bavaria will comply with all Cessions which may be considered necessary to secure to the two States a proper Military Line.

*Indemnities to be made for Cessions by Bavaria.*

ART. III. His Majesty the Emperor of Austria engages on his side, for himself, and in concert with his Allies, to use his most efficacious Intervention, and if necessary, all his Forces, in order to obtain for His Majesty the King of Bavaria, the most complete Indemnity, calculated on the Geographical, Statistical, and Financial proportions of the ceded Provinces. The said Indemnity to be agreeable to the Kingdom of Bavaria, and such as to form a complete and uninterrupted annexation.

ARTS. IV to XI (see Table).

(L.S.) HENRI XV, PRINCE DE REUSS-PLAUEN.
(L.S.) COMTE DE WREDE.

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ADDITIONAL SECRET ARTICLES.

ARTS. I to III (see Table).

## *TREATY OF ALLIANCE between Austria and her Allies, and Hesse-Darmstadt. Signed at Frankfort, 23rd November,* 1813.*

(Referred to at pages 281, 452, 472, 595, and 602.)

ART. TABLE.

1. Renunciation to the Confederation of the *Rhine.*
2. Maintenance of the Independence of *Germany.*
3. Assistance to be afforded to *Hesse-Darmstadt.*
4. Guarantee by *Austria* of Sovereignty and Possession of *Hesse-Darmstadt.*
5. Ratifications.

*Separate and Secret Articles.*

(Translation.†)

*Renunciation to the Confederation of the Rhine.*

ART. I. His Royal Highness the Grand Duke of Hesse renounces for himself and his successors to the Confederation of the Rhine, and to all the ties, duties, and obligations attached thereto.

*Maintenance of the Independence of Germany.*

ART. II. His Royal Highness engages, on the contrary, to maintain the cause of the Independence of Germany by every means in his power.

ART. III. *Assistance to be afforded to Hesse-Darmstadt.*

*Guarantee by Austria of Sovereignty and Possession of Hesse-Darmstadt.*

ART. IV. His Majesty the Emperor of Austria, King of Hungary and Bohemia, guarantees to His Royal Highness the Grand Duke of Hesse his Sovereignty and Possessions. On the other hand, His Royal Highness promises to conform to the arrangements which circumstances may require, which will be finally established for the Maintenance and Independence of Germany.

ART. V. *Ratifications.*

Done at Frankfort, 23rd November, 1813.

(L.S.) BINDER. (L.S.) BARON DE WINTZINGERODE.
(L.S.) CHARLES FREDERIC IBELL.

* A similar Treaty was signed on the same day between Austria, &c., and Nassau, and other German Princes.

† For French version, see "State Papers," vol. i, p. 1002.

SEPARATE AND SECRET ARTICLES.

[Revoked by General Treaty (*Recès Général*) of 20th July, 1819, Arts. IX and XXIV (**No. 95**).]

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## *TREATY OF ALLIANCE between Austria and Hesse-Cassel. Signed at Frankfort, 2nd December,* 1813.

(Referred to at page 238.)

ART. TABLE.

1. Retrocessions to the Duke of *Hesse-Cassel.*
2. Guarantee by *Austria* of Sovereignty and Possessions of *Hesse-Cassel.*
3. Sales of *Hessian* Property by *Frankfort* Government declared null and void. Compensation to Purchasers.
4. Maintenance of the Indèpendence of *Germany.*
5. Number of Troops to be supplied by *Hesse-Cassel.*
6. Restoration of Fortress of *Hanau.*
7. *Hesse-Cassel* to conform to Military Arrangements during the continuance of the War.
8. Ratifications.

*Separate and Secret Articles.*

1. Retrocessions to be made to *Hesse-Cassel* by *Hesse-Darmstadt.*
2. Possession of Salt found in the Saltworks of *Nauheim* on delivery to *Hesse-Cassel.*
3. Former Privileges to be restored to States of *Hesse-Cassel.*
4. Postal Service of *Tour* and *Taxis.*
5. Appointment of Commission to Collect Archives belonging to the Town of *Cassel* in possession of the Kingdom of *Westphalia.*
6. Same principle to apply to *Hessian* Possessions incorporated with Grand Duchy of *Frankfort.*

(Translation.*)

*Retrocessions to the Duke of Hesse-Cassel.*

ART. I. His Electoral Serene Highness recovers from the present time the part of his Possessions which has been united to the King of Westphalia, and to the Grand Duke of Frankfort, as well as the Salt-works of Nauheim and of the County of Nieder-Katzenellenbogen.

ARTS. II and III (see Table).

* For French version, see "State Papers," vol. i, p. 1169.

*Maintenance of the Independence of Germany.*

ART. IV. His Electoral Serene Highness, on entering into the Alliance, engages to maintain the cause of the Independence of Germany by every means in his power.

ART. V (see Table).

*Restoration of Fortress of Hanau.*

ART. VI. His Electoral Serene Highness engages to restore, at his own expense, the Fortress of Hanau.

ARTS. VII and VIII (see Table).

Done at Frankfort, 2nd December, 1813.

(L.S.) BINDER.

(L.S.) MAURICE DE MULLER.
(L.S.) GEORGES FERDINAND DE LEPEL.

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SEPARATE AND SECRET ARTICLES.

ARTS. I to VI (see Table).

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## *CONVENTION OF ALLIANCE between the Cantons forming the Helvetic Confederation. Signed at Zurich, 29th December*, 1813.

[Referred to at page 254.]

ART. TABLE.

Preamble.
1. Union among the Cantons.
2. Renewal of Federal Pact.
3. Cantons not to entertain Relations of Subjection.
4. *Zurich* requested to take charge of Affairs of the Confederation until an understanding is come to.
5. Cantons ready to negociate on Attitude to be taken by *Switzerland* until the Peace.

(Translation.*)

THE Deputies of the ancient Cantons of Switzerland, Ury, Schweitz, Lucerne, Zurich, Glarus, Zug, Friburg, Basle, Schaffhausen, and the two Rhodes of Appenzell, assembled at Zurich,

* For French version, see "State Papers," vol. i, p. 1169.

after having maturely reflected on the critical position of the country, have come to the unanimous conviction, after the events which have occurred, as well without as within Switzerland, that the actual Federal Constitution, such as it is contained in the Act of Mediation, can no longer exist; that it is urgently necessary for the good of the country, not only for the maintenance of the ancient Federal Bond, but to impart to it greater firmness; and that they will consequently submit to their respective High Constituents the following Convention, in order that it may be ratified in the shortest possible delay.

*Union among the Cantons.*

ART. I. The Cantons which accede to this Project, faithful to the spirit of the old Constitution, and to the happy results produced by it for centuries past among the Confederates, again promise to each other advice, fraternal support, and faithful assistance.

*Renewal of Federal Pact.*

ART. II. Not only the other ancient Cantons, but those also which for a long series of years have been Members of the Confederation, are formally invited to this renewal of the Federal Pact.

*Cantons not to entertain relations of Subjection.*

ART. III. In order to maintain Union and Peace in the country, the Cantons unanimously recognise the principle that no relations of Subjection shall be established incompatible with the Rights of a Free People.

ARTS. IV and V (see Table).

Zurich, 29th December, 1813.

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## *TREATY OF PEACE between Denmark and Sweden. Signed at Kiel, 14th January,* 1814.

[Referred to at pages 195 and 196.]

ART. TABLE.

4. Cession of *Norway* by *Denmark* to *Sweden.* (See p. 28.)
7. Cession by *Sweden* of *Pomerania* and *Rugen* to *Denmark.*
8. Preservation of Rights, &c., to Inhabitants of *Swedish Pomerania,* and the Island of *Rugen.*
9. Commercial Privileges of *British* Subjects in the Port of *Stralsund.*

ART. TABLE.

10. Public Debt of *Pomerania.*
11. Privileges of Persons holding Public Property or Incomes in *Swedish Pomerania* and Island of *Rugen.*
12. Maintenance of Public Establishments in *Norway* and *Swedish Pomerania.*
20. Right of Subjects of ceded Territories to choose their Nationality.
21. Archives, Public Documents, &c., to be restored on both sides.
22. Payment of Public and Private Debts in ceded Territories.
23. Commercial Treaty to be concluded.
24. Free Transport of Military Stores belonging to *Sweden.*
25. Abolition of Postal Arrangements.
26. Retirement of Public Servants in *Norway* and *Pomerania.*

(Translation.*)

*Cession by Sweden of Pomerania and Rugen to Denmark.*

ART. VII. His Majesty the King of Sweden, as well for himself as for his successors, renounces irrevocably and in perpetuity in favour of His Majesty the King of Denmark to all his Rights and Titles over the Duchy of Swedish Pomerania and to the Principality of the Island of Rugen. These Provinces, with their Inhabitants, Towns, Ports, Fortresses, Villages, and Islands, as well as their Dependencies, Prerogatives, Rights, and Emoluments, shall henceforth belong in full Property to the Crown of Denmark, and shall be incorporated in that Kingdom. For that purpose His Majesty the King of Sweden promises and engages in the most solemn manner, as well for himself as for his successors, and for the whole Kingdom of Sweden, never to prefer any claim, either direct or indirect, to the Provinces, Islands, and Territories above mentioned; and by these presents, and in virtue of this Renunciation, all the Inhabitants are disengaged from the Oath of Fidelity which they have sworn to the King and to the Crown of Sweden.

ARTS. VIII to XXVI (see Table).

Done at Kiel, 14th January, 1814.

(L.S.) G. BARON DE WETTERSLEDT.
(L.S.) EDMOND BOURKE.

* For French version, see "State Papers," vol. i, p. 194.

## *TREATY of Union, Concert, and Subsidy, between Great Britain and Austria. Signed at Chaumont, 1st March, 1814.**

[Referred to at pages 149, 372, and 374.]

ART. TABLE.

1. Alliance against *France.*
2. Treaties, &c., not to be entered into with the Enemy, except by Common Consent.
3. Subsidy to be contributed by *Great Britain.*
4. Officers to be accredited to respective Armies.
5. Guarantees of Peace of *Europe.*
6. Adoption of Means to prevent Attacks from *France.*
7. Military Assistance to Parties attacked.
8. Auxiliary Corps to be provided by Contracting Parties.
9. Subsidy to be Contributed by *Great Britain* in lieu of Troops.
10. Command-in-Chief of Auxiliary Army.
11. Discipline and Administration of Auxiliary Troops. Trophies and Booty.
12. Additional Succours in case of need.
13. Peace to be made only by Common Consent.
14. Reservations.
15. Invitation to other Powers to accede to Defensive Alliance.
16. Duration of Treaty.
17. Ratifications.

*Additional Article.*

Maintenance by *Great Britain* of *Russian* Fleet and Crews in Ports of *England.*

(Translation.†)

*Alliance against France.*

ART. I. The High Contracting Parties above named solemnly engage by the present Treaty, and in the event of France refusing to accede to the Conditions of Peace now proposed, to apply all the means of their respective States to the vigorous prosecution of the War against that Power, and to employ them in perfect concert, in order to obtain for themselves and for Europe a General Peace, under the Protection of which the Rights and Liberties of all Nations may be established and secured.

This engagement shall in no respect affect the Stipulations which the several Powers have already contracted relative to the number of Troops to be kept against the Enemy; and it is under-

* Treaties containing the same Stipulations, *verbatim*, were concluded on the same day between Great Britain and Prussia, and Russia, respectively.

† For French version, see "State Papers," vol. i, p. 131.

stood that the Courts of England, Austria, Russia, and Prussia engage by the present Treaty to keep in the field, each of them, 150,000 effective men, exclusive of garrisons, to be employed in active service against the common Enemy.

*Treaties, &c., not to be entered into with the Enemy except by common consent.*

ART. II. The High Contracting Parties reciprocally engage not to negotiate separately with the common Enemy, nor to sign Peace, Truce, nor Convention, but with common consent. They, moreover, engage not to lay down their Arms until the object of the War, mutually understood and agreed upon, shall have been attained.

*Subsidy to be contributed by Great Britain.*

ART. III. In order to contribute in the most prompt and decisive manner to fulfil this great object, His Britannic Majesty engages to furnish a Subsidy of £5,000,000 for the service of the year 1814, to be divided in equal proportions amongst the 3 Powers; and His said Majesty promises, moreover, to arrange, before the 1st of January in each year, with their Imperial and Royal Majesties, the further succours to be furnished during the subsequent year, if (which God forbid) the War should so long continue.

The Subsidy above stipulated of £5,000,000 shall be paid in London, by Monthly instalments, and in equal proportions, to the Ministers of the respective Powers duly authorised to receive the same.

In case Peace should be signed between the Allied Powers and France before the expiration of the year, the Subsidy, calculated upon the scale of £5,000,000, shall be paid up to the end of the month in which the Definitive Treaty shall have been signed; and His Britannic Majesty promises, in addition, to pay to Austria and to Prussia two months, and to Russia 4 months, over and above the stipulated Subsidy, to cover the expenses of the return of their Troops within their own Frontiers.

*Officers to be accredited to respective Armies.*

ART. IV. The High Contracting Parties will be entitled respectively to accredit to the Generals commanding their Armies, Officers, who will be allowed to correspond with their Govern-

ments, for the purpose of informing them of the Military events, and of everything which relates to the operations of the Armies.

*Guarantees of Peace of Europe.*

ART. V. The High Contracting Parties, reserving to themselves to concert together, on the conclusion of a Peace with France, as to the means best adapted to guarantee to Europe, and to themselves reciprocally, the continuance of the Peace, have also determined to enter, without delay, into defensive engagements for the Protection of their respective States in Europe against every attempt which France might make to infringe the order of things resulting from such Pacification.

*Adoption of means to prevent Attacks from France.*

ART. VI. To effect this, they agree that in the event of one of the High Contracting Parties being threatened with an Attack on the part of France, the others shall employ their most strenuous efforts to prevent it, by friendly interposition.

*Military Assistance to Parties attacked.*

ART. VII. In the case of these endeavours proving ineffectual, the High Contracting Parties promise to come to the immediate assistance of the Power attacked, each with a body of 60,000 men.

*Auxiliary Corps to be provided by Contracting Parties.*

ART. VIII. Such Auxiliary Corps shall respectively consist of 50,000 infantry and 10,000 cavalry, with a train of artillery, and ammunition in proportion to the number of troops; the Auxiliary Corps shall be ready to take the field in the most effective manner, for the safety of the Power attacked or threatened within two months at latest after the requisition shall have been made.

*Subsidy to be contributed by Great Britain in lieu of Troops.*

ART. IX. As the situation of the Seat of War, or other circumstances, might render it difficult for Great Britain to furnish the stipulated succours in English Troops within the term prescribed, and to maintain the same on a War establishment, His Britannic Majesty reserves the right of furnishing his Contingent to the requiring Power in Foreign Troops in his pay, or to pay annually to that Power a sum of money, at the rate of £20 per

each man for infantry, and of £30 for cavalry, until the stipulated succour shall be complete.

The mode of furnishing this succour by Great Britain shall be settled amicably, in each particular case, between His Britannic Majesty and the Power threatened or attacked, as soon as the requisition shall be made: the same principle shall be adopted with regard to the Forces which His Britannic Majesty engages to furnish by the 1st Article of the present Treaty.

*Command-in-Chief of Auxiliary Army.*

ART. X. The Auxiliary Army shall be under the orders of the Commander-in-Chief of the Army of the requiring Power; it shall be commanded by its own General, and employed in all Military Operations according to the rules of War. The pay of the Auxiliary Army shall be defrayed by the requiring Power; the rations and portions of provisions and forage, &c., as well as quarters, shall be furnished by the requiring Power as soon as the Auxiliary Army shall have passed its own Frontier; and that upon the same footing as the said Power maintains, or shall maintain, its own Troops in the Field or in Quarters.

*Discipline and Administration of Auxiliary Troops. Trophies and Booty.*

ART. XI. The Discipline and Administration of the Troops shall solely depend upon their own Commander; they shall not be separated. The Trophies and Booty taken from the Enemy shall belong to the Troops who take them.

*Additional Succours in case of need.*

ART. XII. Whenever the amount of the stipulated Succours shall be found inadequate to the exigency of the case, the High Contracting Parties reserve to themselves to make, without loss of time, an ulterior arrangement as to the Additional Succours which it may be deemed necessary to furnish.

*Peace to be made only by Common Consent.*

ART. XIII. The High Contracting Parties mutually promise, that in case they shall be reciprocally engaged in hostilities, in consequence of furnishing the stipulated Succours, the party requiring and the parties called upon, and acting as Auxiliaries in the War, shall not make Peace but by common consent.

*Reservations.*

ART. XIV. The engagements contracted by the present Treaty

shall not prejudice those which the High Contracting Parties may have entered into with other Powers, nor prevent them from forming new engagements with other States, with a view of obtaining the same salutary result.

*Invitation to other Powers to accede to Defensive Alliance.*

ART. XV. In order to render more effectual the Defensive Engagements above stipulated, by uniting for their common defence the Powers the most exposed to a French invasion, the High Contracting Parties engage to invite those Powers to accede to the present Treaty of Defensive Alliance.

*Duration of Treaty.*

ART. XVI. The present Treaty of Defensive Alliance having for its object to maintain the equilibrium of Europe, to secure the repose and Independence of its States, and to prevent the Invasions which during so many years have desolated the World, the High Contracting Parties have agreed to extend the duration of it to 20 years, to take date from the day of its signature; and they reserve to themselves to concert upon its ulterior prolongation 3 years before its expiration, should circumstances require it.

*Ratifications.*

ART. XVII. The present Treaty shall be ratified, and the Ratifications exchanged within two months, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the Seal of their Arms.

Done at Chaumont, 1st March, 1814.

(L.S.) CASTLEREAGH.
(L.S.) CLEMENT WENCESLAUS LOTHAIRE, PRINCE DE METTERNICH.

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ADDITIONAL ARTICLE.

(Translation.*)

*Maintenance by Great Britain of Russian Fleet and Crews in Ports of England.*

His Britannic Majesty engages for the year 1814 to provide for the Maintenance of the Russian Fleet, and its Crews, now in the Ports of England. The expense is estimated at £500,000 sterling.

* For French version, see "State Papers," vol. i. p. 129.

In the event of Peace with France, or of the departure of the said Fleet on its return to Russia in the course of the year, His Britannic Majesty shall provide for its Maintenance for 4 months, reckoning from the day of the Signature of the Peace, or of the departure of the Fleet from the Ports of England.

The present Additional Article shall have the same force and validity as if it were inserted word for word in the Treaty Patent of this day.

It shall be ratified, and the Ratifications shall be exchanged at the same time.

In witness whereof, the respective Plenipotentiaries have signed the same, and affixed to it the Seal of their Arms.

Done at Chaumont, the 1st March, in the year of Our Lord, 1814.

(L.S.) CASTLEREAGH.
(L.S.) CHARLES ROBERT, COMTE DE NESSELRODE.

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*TREATY between Austria, Prussia, and Russia, and Napoleon Bonaparte. Signed at Paris, 11th April,* 1814.

[Referred to at page 373.]

ART. TABLE.

1. Renunciation by Emperor Napoleon to Empire of *France* and Kingdom of *Italy*.
2. Titles and Rank to be retained by Emperor and Empress.
3. Emperor to reside at *Elba*. Annual Revenue.
4. Flag and Territory of Island of *Elba* to be respected by *Barbary* Powers.
5. Sovereignty of Duchies of *Parma*, *Placentia*, and *Guastalla* granted to Empress Maria Louisa and Descendants. Title of Son of Empress Maria Louisa.
6. Revenues amounting to 2,500,000 francs to Emperor and Family.
7. Pension of Empress Josephine.
8. Establishment to be Granted to Prince Eugene, Viceroy of *Italy*.
9. Property of Emperor in *France* to be attached to the Crown.
10. Crown Diamonds to remain in *France*.
11. Emperor to return to Treasury, &c., sums and effects taken out by his Orders.
12. Debts of Household of the Emperor Napoleon.
13. Obligation of the Mont-Napoleon, of Milan, towards all the Creditors, to be exactly fulfilled.
14. Passports to Emperor and Empress, Family and Suite.
15. Escort of Troops as far as *St. Tropez*.
16. Conveyance to *Elba*.
17. Guard of 400 Men to accompany the Emperor.
18. Time at which followers of Emperor lose their Rights as *Frenchmen*.

ART. TABLE.
19. *Polish* Troops to return Home with their Arms, &c.
20. Guarantee of Treaty by Allied Powers.
21. Ratifications.

(Translation.*)

*Renunciation by Emperor Napoleon to Empire of France and Kingdom of Italy.*

ART. I. His Majesty the Emperor Napoleon renounces for himself, his successors and descendants, as well as for all the members of his family, all right of Sovereignty and Dominion, as well to the French Empire and the Kingdom of Italy as over every other country.

*Titles and Rank to be retained by Emperor and Empress.*

ART. II. Their Majesties the Emperor Napoleon and the Empress Maria Louisa shall retain their Titles and Rank, to be enjoyed during their lives. The mother, the brothers, sisters, nephews and nieces of the Emperor shall also retain, wherever they may reside, the titles of Princes of his family.

*Emperor to reside at Elba.*

ART. III. The Isle of Elba, adopted by His Majesty the Emperor Napoleon as the place of his residence, shall form, during his life, a separate Principality, which shall be possessed by him in full Sovereignty and Property.

*Annual Revenue.*

There shall be besides granted, in full Property, to the Emperor Napoleon, an Annual Revenue of 2,000,000 francs in rent charge, in the Great Book of France, of which 1,000,000 shall be in reversion to the Empress.

*Flag and Territory of Island of Elba to be respected by Barbary Powers.*

ART. IV. All the Powers engage to employ their Good Offices to cause to be respected by the Barbary Powers the Flag and the Territory of the Isle of Elba; for which purpose the relations with the Barbary Powers shall be assimilated to those with France.

* For French version, see "State Papers," vol. i, p. 132.

*Sovereignty of Duchies of Parma, Placentia, and Guastalla, granted to Empress Maria Louisa and Descendants.*

ART. V. The Duchies of Parma, Placentia, and Guastalla shall be granted in full Property and Sovereignty to Her Majesty the Empress Maria Louisa; they shall pass to her Son, and to his Descendants in the right line.

*Title of Son of Empress Maria Louisa.*

The Prince, her Son, shall from henceforth take the title of Prince of Parma, Placentia, and Guastalla.

ARTS. VI to XXI (see Table).

Done at Paris, 11th April, 1814.

(L.S.) THE PRINCE DE METTERNICH.
(L.S.) CHARLES ROBERT, COMTE DE NESSELRODE.
(L.S.) CHARLES AUGUSTUS, BARON DE HARDENBERG.
(L.S.) CAULAINCOURT.
(L.S.) MARSHAL NEY.
(L.S.) MACDONALD.

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*BRITISH Act of Accession. Paris 27th April,* 1814.

WHEREAS their Imperial and Royal Majesties the Emperor of Austria, King of Hungary and Bohemia, the Emperor of All the Russias, and the King of Prussia, have entered into a Treaty, concluded at Paris, on the 11th April of the present year, for the purpose of granting, for such respective periods as in the said Treaty are mentioned, to the person and family of Napoleon Bonaparte, the possession in Sovereignty of the Island of Elba, and the Duchies of Parma, Placentia, and Guastalla, and for other purposes; which Treaty has been communicated to the Prince Regent of the United Kingdom of Great Britain and Ireland, by the Ministers of their Imperial and Royal Majesties the Emperor of Austria, King of Hungary and Bohemia, the Emperor of All the Russias, and the King of Prussia, who, in the name of their respective Sovereigns, have jointly invited the Prince Regent to accede to the same, in the name and on the behalf of His Majesty;

His Royal Highness the Prince Regent, having full knowledge of the contents of the said Treaty, accedes to the same, in the name and on the behalf of His Majesty, as far as respects the stipulations relative to the possession in Sovereignty of the Island of Elba, and also of the Duchies of Parma, Placentia, and Guastalla. But His Royal Highness is not to be considered, by this Act of Accession, to have become a party, in the name of His Majesty, to any of the other provisions and stipulations contained therein.

Given under my Hand and Seal, at Paris, this 27th day of April, in the year of Our Lord, 1814.

By command of His Royal Highness the Prince Regent, acting in the name and on the behalf of His Majesty.

CASTLEREAGH.

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## *CONVENTION for a Suspension of Hostilities between Great Britain and France. Signed at Paris, 23rd April, 1814.**

[Referred to at pages 11, 20, 409, 462, and 601.]

ART. TABLE.

1. Suspension of Hostilities.
2. Evacuation by Allies of *French* Territory as it existed on 1st January, 1792.
3. Evacuation of Places held by the *French* Armies, and not comprised in the Limits of *French* Territory as it existed in 1792. All property of whatever description in the Fortresses to be given over to the Allies. Appointment of Commissioners. Regulation of Garrisons. Raising of Blockades. *French* Troops in *Italy* or the *Mediterranean* to be recalled.
4. Maritime Fortresses.
5. Fleets and Ships of *France* to remain in their respective Situations.
6. Restoration of Captures at Sea within specified time after Ratification of Treaty.
7. Liberation of Prisoners.
8. Administration of Departments or Cities actually occupied by the Forces of the Co-belligerents to be given over to *French* Magistrates.
9. Routes to be taken by the Troops.

*Additional Article.*

Evacuations in United Provinces of the *Netherlands*.

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* Conventions containing the same Stipulations, *verbatim*, were concluded on the same day between France and Austria, Prussia, and Russia.

(Translation.*)

ART. I. (See Table.)

*Evacuation by Allies of French Territory as it existed on the 1st January, 1792.*

ART. II. For the purpose of effecting the re-establishment of the relations of Friendship between the Allied Powers and France, and to afford to the latter beforehand, as much as possible, the enjoyment of the blessings of Peace, the Allied Powers will cause their Armies to evacuate the French Territory, as it existed on the 1st January, 1792, upon condition that the Places still in the possession of the French Armies beyond those Limits, shall be evacuated and delivered up to the Allies.

*Evacuation of Places held by the French Armies, and not comprised in the Limits of French Territory as it existed in 1792.*

ART. III. The Lieutenant-General of the Kingdom of France will accordingly instruct the Commandants of those Places to deliver them up in the following manner, viz.: the Places situated upon the Rhine, not comprehended within the Limits of France on the 1st January, 1792, and those between the Rhine and the said Limits, in the space of 10 days, to be calculated from the day of the Signature of the present Act; the Places in Piedmont and in other parts of Italy which belonged to France, in 15 days; those in Spain in 20 days; and all other Places occupied by French Troops, without exception, in such manner as that they shall be entirely delivered up by the 1st June next. The Garrisons of such Places shall depart with their Arms and Baggage, and with the Private Property of the Military, and of the Civil Agents of every description. They shall be allowed to take with them Field Artillery in the proportion of 3 pieces to each 1,000 men, the Sick and Wounded therein comprised.

*All Property of whatever description in the Fortresses to be given over to the Allies.*

The Property of the Fortresses, and everything which is not Private Property, shall remain untouched, and shall be given over in full to the Allies without anything being removed. In the Property are comprised not only the Depôts of Artillery and Ammunition, but also all other Supplies of every description, as well as the Archives, Inventories, Plans, Maps, Models, &c.

* For French version see "State Papers," vol. i, p. 143.

*Appointment of Commissioners.*

Immediately after the Signature of the present Convention, Commissaries on the part of the Allied Powers and of France shall be named and dispatched to the Fortresses, in order to ascertain the state in which they are, and to regulate together the execution of this Article.

*Regulation of Garrisons. Raising of Blockades.*

The Garrisons shall be regulated, in their return to France, according to the magazines upon the different lines which shall be agreed upon. The Blockades of Fortified Places in France shall be raised immediately by the Allied Armies.

*French Troops in Italy or the Mediterranean to be recalled.*

The French Troops, making a part of the Army of Italy, or occupying the Fortified Places in that country or in the Mediterranean, shall be recalled immediately by His Royal Highness the Lieutenant-General of the Kingdom.

*Maritime Fortresses.*

ART. IV. The Stipulations of the preceding Article shall be equally applicable to Maritime Fortresses, the Contracting Powers reserving, however, to themselves to regulate in the Definitive Treaty of Peace, the fate of the Arsenals, Vessels of War, Armed and Unarmed, which are in those places.

ARTS. V and VI. (See Table.)

*Liberation of Prisoners.*

ART. VII. On both sides, the Prisoners, Officers and Soldiers, of Land or Sea, or of any other description whatever, and particularly Hostages, shall be immediately sent back to their respective Countries, without ransom and without exchange. Commissaries shall be named reciprocally in order to carry this general liberation into effect.

ARTS. VIII and IX. (See Table.)

Done at Paris, the 23rd day of April, in the year of Our Lord, 1814.

(L.S.) CASTLEREAGH.
(L.S.) LE PRINCE DE BENEVENT.

ADDITIONAL ARTICLE.

*Evacuation in United Provinces of the Netherlands.*

The term of 10 days, agreed on in virtue of the Stipulations of Article III of the Convention of this day for the Evacuation of the fortified Places upon the Rhine, and between that River and the ancient Frontiers of France, is extended to the Fortified Places and Military Establishments of whatsoever description in the United Provinces of the Netherlands.

The present Additional Article shall have the same force and validity as if it were word for word inserted in the Convention of this day.

In testimony of which, the respective Plenipotentiaries have signed it, and affixed thereto the Seals of their Arms.

Done in Paris, the 23rd day of April, in the year of Our Lord, 1814.

(L.S.) CASTLEREAGH.
(L.S.) LE PRINCE DE BENEVENT.

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*TREATY between the Princes of Nassau and the Prince of Orange-Nassau. Signed at the Hague, 14th July,* 1814.

[Referred to at page 253.]

ART. TABLE.

1. Revision of the Pact of Union reserved.
2. Joint Interests of the House.
3. Division of the Joint Sovereignty: *Burbach, Neunkirchen, Mensfelden, Kirberg, Camberg, Erbach, Eisenbach,* and *Balduinstein,* are returned to the *Orange-Nassau* House; *Obernhof* remains with *Nassau.*
4. The Castle of *Nassau* remains in Common.
5. Forests of the Bailiwick of *Tunkel,* where not Enclaves, ceded to *Orange-Nassau.*
6. Time of Transfer.
7. Division of current Taxes.
8 Charges in arrear.
9. Salaries and Pensions.
10. Exchange of Revenues.
11. Exchange of Forests.
12. Remainder of Domains.
13. Feudal Rights.
14. Revenues collected during the *Rhine* Confederation.
15. Domains alienated during the *Rhine* Confederation.
16. Restitution of Funds.
17. Interest.

ART. TABLE.
18. *Selters.* Claim of *Orange-Nassau* to the *Niederselters* Springs reserved for further Negociations. *Oberselters* remains with *Nassau.*
19. *Ems; Specht* Property. *Orange-Nassau* Claims reserved for further Negotiations.
20. Customs, Tolls.
21. Navigation of the *Lahn.*
22. Court of Appeal.
23. House of Correction.
24. Institutions of the Duchy of *Nassau.*
25. Joint Bishop.
Ratification.

ANNEX A. Table of Population.
ANNEX B. Table of Land Tax.

(Translation.)

ARTS. I to XXV. (See Table.)

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*CONVENTION between Great Britain and Sweden, relative to the Compensation to be paid to Sweden for the Restoration of Guadaloupe to France. Signed at London, 13th August,* 1814.

[Referred to at pages 10 and 46.]

ART. TABLE.
1. Indemnity to *Sweden* for Restoration of *Guadaloupe* to *France.*
2. Indemnity Contingent upon Execution of Treaty of 30th May, 1814.
Ratifications.

*Indemnity to Sweden for Restoration of Guadaloupe to France.*

ART. I. His Britannic Majesty agrees to pay, and His Swedish Majesty to accept, the sum of 24,000,000 of livres, in full discharge and satisfaction of his Claims under Article IX of the Treaty of Paris (**No. 1**). The said sum to be payable in London to His Swedish Majesty's Minister, according to the rate of exchange between London and Paris at each time of payment, in 12 equal monthly instalments: the first monthly instalment to become due and payable to His Britannic Majesty one month after the Ratification of the Treaty, by which the said Belgic Provinces shall be incorporated with Holland as aforesaid.

*Indemnity contingent upon Execution of Treaty of 30th May,* 1814.

ART. II. It is agreed and understood, that, the above arrange-

ment being contingent upon the due execution of the engagements contained in the Treaty of Paris (**No. 1**), His Swedish Majesty's rights to compensation from His Britannic Majesty and his Allies, shall not be prejudiced by any failure or non-fulfilment of the engagements in question, but shall continue in full force and effect, unless otherwise satisfied, as if this Convention had not been made.

*Ratifications.*

The present Convention shall be ratified, and the Ratifications shall be exchanged at London within one month from the date hereof, or sooner, if possible.

In witness whereof, we, the Undersigned Plenipotentiaries, in virtue of our respective Full Powers, have signed the present Convention, and have affixed thereto the Seal of our Arms.

Done at London, this 13th day of August, in the year of Our Lord, 1814.

(L.S.) CASTLEREAGH.
(L.S.) G. M. DE REHAUSEN.

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## *TREATY OF PEACE between Denmark and Prussia. Signed at Berlin, 25th August,* 1814.

[Referred to at pages 47 and 198.]

ART. TABLE.

1. Peace and Friendship.
2. Re-establishment of Former Relations.
3. Commercial Relations.
4. Commission of Claims.
5. Indemnity for Cession of *Norway* to *Sweden.*
6. Ratifications.

(Translation.*)

ART. I. *Peace and Friendship.*

*Re-establishment of Former Relations.*

ART. II. All the relations which existed between Denmark and Prussia, and their respective Subjects, from the day of the date of the signature of the present Treaty, shall be re-established on the same footing as they existed previous to the late War.

* For French version, see "State Papers," vol. i, p. 255.

ARTS. III and IV. (See Table.)

*Indemnity for Cession of Norway to Sweden.*

ART. V. His Majesty the King of Denmark, having ceded Norway to Sweden, His Majesty the King of Prussia shall use, conjointly with Sweden, Russia, and Great Britain, his Good Offices to obtain for His Majesty the King of Denmark a suitable indemnity, besides Pomerania, which has been ceded to him by Sweden.

ART. VI. *Ratifications.*

Done at Berlin, the 25th August, 1814.

(L.S.) CHRETIEN HENRY AUGUSTE, COMTE DE HARDENBERG-REVENTLAU.

(L.S.) CHARLES AUGUSTE, PRINCE DE HARDENBERG.

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*TREATY between Great Britain and Portugal, annulling the Treaty of Alliance of* 1810, *and renewing Ancient Treaties of Alliance and Guarantee. Signed at Vienna,* 22*nd January,* 1815.*

[Referred to at page 760.]

*Treaty of* 19*th February,* 1810, *Annulled. Ancient Treaties of Alliance and Guarantee renewed.*

ART. III. The Treaty of Alliance concluded at Rio de Janeiro, on the 19th February, 1810, being founded on circumstances of a temporary nature, which have happily ceased to exist, the said Treaty is hereby declared to be void in all its parts, and of no effect; without prejudice, however, to the Ancient Treaties of Alliance, Friendship, and Guarantee, which have so long and so happily subsisted between the two Crowns; and which are hereby renewed by the High Contracting Parties, and acknowledged to be of full force and effect.

* See Note, page 760.

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## *TREATY OF ALLIANCE between Great Britain and Austria, Prussia, and Russia, against Bonaparte. Signed at Vienna, 25th March, 1815.**

[Referred to at page 271.]

ART. TABLE.

1. Alliance against the Designs of Napoleon Bonaparte.
2. 150,000 Men to be kept in the Field by each Contracting Party.
3. War not to cease until Bonaparte is absolutely put down.
4. Renewal of the Treaty of *Chaumont* of 1st March, 1814.†
5. Command of Combined Armies, &c.
6. Officers to be accredited to Generals of Armies.
7. Powers of *Europe* to be invited to accede to Treaty.
8. *France* to be invited to accede. Forces to be placed at her disposal.
9. Ratifications.

### *Separate and Additional Article.*

Subsidy to be furnished by *Great Britain* in lieu of Troops.

(Translation.‡)

ARTS. I to IV. (See Table.)

### *Command of Combined Armies, &c.*

ART. V. Whatever relates to the Command of the Combined Armies, to Supplies, &c., shall be regulated by a Particular Convention.

ARTS. VI and VII. (See Table.)

### *France to be invited to Accede. Forces to be placed at her Disposal.*

ART. VIII. The present Treaty having no other end in view but to support France, or any other Country which may be invaded, against the enterprises of Bonaparte and his Adherents, His Most Christian Majesty shall be specially invited to accede hereunto; and, in the event of His Majesty's requiring the Forces stipulated in Article II, to make known what assistance circumstances will allow him to bring forward in furtherance of the object of the present Treaty.

* The Stipulations of the Treaty concluded on the same day between Great Britain and Prussia and Russia, respectively, were *verbatim* the same as those of this Treaty.

† See page 2045.

‡ For French version, see "State Papers," vol. ii, p. 443.

ART. IX. (See Table.)

Done at Vienna, 25th March, 1815.

(L.S.) WELLINGTON.
(L.S.) LE PRINCE DE METTERNICH.
(L.S.) LE BARON DE WESSENBERG.

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SEPARATE AND ADDITIONAL ARTICLE.

*Subsidy to be furnished by Great Britain in lieu of Troops.*

As circumstances might prevent His Majesty the King of the United Kingdom of Great Britain and Ireland, from keeping constantly in the Field the number of Troops specified in Article II, it is agreed that His Britannic Majesty shall have the option, either of furnishing his contingent in men, or of paying at the rate of £30 per annum for each Cavalry Soldier, and £20 per annum for each Infantry Soldier, that may be wanting to complete the number stipulated in Article II.

The present Additional and Separate Article shall have the same force and effect as if it were inserted word for word in the Treaty of this day..

It shall be ratified, and the Ratifications shall be exchanged at the same time.

In faith whereof, the respective Plenipotentiaries have signed it, and have affixed thereto the Impression of their Arms.

Done at Vienna, 25th March, 1815.

(L.S.) WELLINGTON.
(L.S.) LE PRINCE DE METTERNICH.
(L.S.) LE BARON DE WESSENBERG.

[A complete List of the Treaties of Accession to the Treaty of Alliance against Bonaparte, of 25th March, 1815, and of Treaties of Subsidy consequent thereon, will be found in "State Papers," vol. xliii, pp. 356, 357.]

## *ADDITIONAL ARTICLES to the Convention between Prussia and Russia, relative to the Claims of the Duchy of Warsaw. Signed at Vienna, 30th March, 1815.*

ART. TABLE.

1. Respite for 6 Years, granted to all Debtors, of *Prussian* Subjects in the Duchy of *Warsaw.*
2. Interest at 4 per cent. during the continuance of the Letter of Respite.
3. Regulation for Payment of Interests from and since 1806.
4. Facilities to Debtors to Pay their Obligations.
5. Debtors to comply with Stipulations within 5 Months.
6. Debtors not to be allowed further benefits.
7. Additional Articles to have same effect as if they had been inserted, word for word, in the principal Convention of this day.

(Translation.)

ADDITIONAL ARTICLES.

ARTS. I to VII. (See Table.)

Done at Vienna, 30th March, 1815.

(L.S.) JEAN D'ANSTETT.

(L.S.) C. PRINCE DE HARDENBERG.

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(ANNEX.) *Publication of the Prussian Government. Vienna, 17th April,* 1815.

BY an Agreement concluded between His Majesty the King and His Imperial Russian Majesty, dated 30th March, of this year, the Convention entered into by the late Emperor of the French and the King of Saxony, at Bayonne, on the 10th May, 1808,* by which the Capitals or Funds of Prussian Money Establishments and Institutions in the Duchy of Warsaw, were ceded to the King of Saxony and to the Duchy of Warsaw, has been annulled; and accordingly:

1. The free disposition of their Property is restored to those Money Establishments and Institutions, as well as to those Private Individuals whose capital, placed out in the Duchy of Warsaw, had been sequestrated and confiscated by virtue of the Bayonne Convention.

2. The Contracting Parties have mutually secured to each other, that the Subjects of the one Power, who are interested, as far as their Property is concerned, in the other Power, shall

* Annulled.

enjoy the special protection of the Laws, and shall, in no manner and under no pretence whatsoever, be hindered and obstructed in the enjoyment of their consequent rights.

3. These Capitals which have been placed out upon, or invested in Estates of the part remaining to Russia, and which belong to the Bank and the General Treasury of Invalids, are to be assigned over in proprietorship, with the interests in arrears as well as with the current interests (pursuant to a special agreement of His Majesty with the Emperor of Russia) for the account of the Russian part of the Duchy of Warsaw, Prussia being indemnified for the value of them, as agreed upon.

4. The Owners of such Capital, as from being the supposed property of the State or of a Money Establishment, was reckoned among the Bayonne items, and was, in consequence, sequestrated, must inevitably submit, as well as the above-named Institutions, to have deducted from the capital and interest, those sums which their Debtor can prove, by a proper Receipt, to have paid to the Duchy of Warsaw, whether such payment was made upon the capital or interest; but they will notify such deduction to the 2nd Section of the Office of the Minister for Foreign Affairs at Berlin, which Section will obtain the repayment of such deducted sums, from the Government of the Duchy of Warsaw, and will restore them to their Owners.

5. The Creditors of the Subjects of the Duchy of Warsaw must, as to what remains, submit to the measures which time and circumstances dictate, which the securing of their own Capitals, and the preservation of the landed Proprietors in the Duchy of Warsaw require, and which have been agreed upon between the High Contracting Powers, in order to prevent all future misunderstanding in the following Additional Articles.—[See page 2060.]

Vienna, 17th April, 1815.

*The Chancellor of State,*

C. PRINCE OF HARDENBERG.

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*PROCLAMATION of the Emperor of Austria, relative to the Union of the Lombardo-Venetian Kingdom to the Austrian Monarchy. Vienna, 7th April,* 1815. [See "State Papers," vol. ii, p. 906.]

The Constitution for the Lombardo-Venetian Kingdom was signed on the 24th April, 1815.

## *TERRITORIAL CONVENTION between Austria, Bavaria, and Prussia. Signed at Creuznach, 28th May, 1815.*

ART. TABLE.

1. Tracing of Frontier.
2. Frontier of Suburbs to be considered as the Frontier of the Country.
3. Frontier to be submitted to Decision of Allied Powers.

(Translation.*)

*Tracing of Frontier.*

ART. I. That Frontier, such as it has been traced by the Prussian Patent on taking possession, under date of 5th April last, begins from the confluence of the Nahe with the Rhine, ascends along the Nahe and the Department of the Rhine-and-Moselle as far as Glan, and from thence as far as Medard.

On the right bank of the above two Rivers, the two Towns of Kreuznach and Meissenheim, along with their Suburbs, shall belong to Prussia. From Medard, the line passes by Merzweiler, Langweiler, Nieder-und Ober-Jeckenbach, Ellenbach, Breunchenborn, Answeiler, Kronweiler, Niederbrambach, Burbach, Rœschweiler, Heubweiler, Hambach, and proceeds as far as Rinzenberg: all the above places belong to Prussia.

From thence it turns the suburb of Abentheuer and Brucken, which remain in the possession of the old Administration, and meets at the point of the limit of Achtelbach, touches the Commune of Zuach, close to Neuhoff, which belongs to that of Achtelbach, follows the Frontier of the Canton of Hermerskeil, crosses that Canton and the Canton of Couz as far as Gomlingen, so that the Forges of Zunder, Neuhutte, Eisenhutte, and Zusch, then Hermerskeil, Reinfeld, Damfloss in the Canton of Hermerskeil, as well as Franzenheim, and Gomlingen, in the Canton of Conz, fall to Prussia; and that all the places situated to the south of that line, namely: Ober-und Nieder-Sœtern, Boosen, Schwarzenbach, Braunhausen, Guserschmelze, Otzenhausen, Nonweiler, Bierfeld, Saint Huberts-Schmelze, Gusenbourg, Sauschied, Grunberger-Hof, Kell, Waldweiler, Schwarzwalder-Hof, Mandern, Shillingen and Hedert in the Canton of Hermerskeil, Holzrath, Schœndorf, Plumig, Olmuth, Lampaden, Hinzenbourg, Bonnerath, Oberemmel, Crettenach, Wildingen and Hamm, in the Canton of Conz, remain under the old Administration.

* For French Translation, see "State Papers," vol. ii, p. 913.

*Frontier of Suburbs to be considered as the Frontier of the Country.*

ART. II. In all the places situated on the Frontier, the Frontier of the Suburb shall be taken as that of the Country.

*Frontier to be submitted to Decision of Allied Powers.*

ART. III. This provisional settlement of the Frontiers, for the Cantons of Hermerskeil and of Conz, shall be submitted to another decision of the Allied Powers, after which the two Administrations of the Country shall agree upon a more exact tracing of the line.

Creuznach, 28th May, 1815.

(L.S.) LE BARON DE SCHMITZ-GROLLENBOURG,
Commissary-General of the Prussian Government.

(L.S.) GUILLAUME DE DROSSDICK,
Councillor of the Austrian Court.

(L.S.) CHARLES, BARON DE STENGEL,
Bavarian Councillor.

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## *SEPARATE AND SECRET ARTICLE to the Territorial Treaty of 31st May, 1815, between Prussia and Nassau. Signed at Vienna, 31st May, 1815.*

TABLE.

Preamble.
Contingent Cessions in event of Territorial Arrangements between *Prussia* and *Hesse-Cassel.*

(Translation.*)

IN concluding the Principal Treaty (**No. 23**), between His Majesty the King of Prussia, and their Highnesses the Duke and Prince of Nassau, the Undersigned Plenipotentiaries have further concluded the following contingent Convention:

*Contingent Cessions in event of Territorial Arrangements between Prussia and Hesse-Cassel.*

In case His Majesty the King of Prussia, on account of Territorial Arrangements with Electoral Hesse, should find means of

* For French version, see "State Papers," vol. ii, p. 981.

acquiring the Lower County of Katzenelnbogen with the part of Hesse-Rothenburg enclosed therein, His Majesty engages to cede to their Highnesses the Duke and Prince of Nassau, the said County, with the Properties of the Elector of Hesse situated therein, and with the local Rights and the Possessions of Hesse-Rothenburg. In exchange, their Highnesses engage to make over to His Majesty the part of the Principality of Siegen and of the Bailiwicks of Burbach and Neunkirchen, coming to them by virtue of the Principal Treaty (**No. 23**), as well as the Nassau Bailiwick of Atzback, with all the Rights and Properties of the Ducal House in that District. All the dispositions of the Principal Treaty (**No. 23**), are applicable to this contingent Cession.

This Separate Convention shall have the same force as the Principal Treaty, and the Ratifications shall be exchanged within 4 weeks.

In faith whereof the Undersigned Plenipotentiaries have signed the present Separate Article, and have affixed thereto their Seals.

Done at Vienna, 31st May, 1815.

(L.S.) LE PRINCE DE HARDENBERG.
(L.S.) MARSCHALL DE BIEBERSTEIN.

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## *TERRITORIAL TREATY between Prussia and Sweden. Signed at Vienna, 7th June,* 1815.

[Referred to at page 198.]

ART. TABLE.

1. Cession of *Pomerania* and *Rugen* to *Prussia* by *Sweden.*
2. Artillery and Military Stores in ceded Fortified Places to be delivered to *Prussia.* Canon and War Vessels to be given for Maritime Defence.
3. Public Debt of *Pomerania* transferred to *Prussia.*
4. Crown Domains in *Pomerania* and *Rugen* to be made over to *Prussia.*
5. *Prussia* to Pay 3,500,000 Rixdalers to *Sweden* for Cession of *Pomerania* and *Rugen.*
6. Time in which Cession of *Pomerania* and *Rugen* is to be completed.
7. Commissioners to be appointed for the delivery of *Pomerania* and *Rugen.*
8. Privileges to be secured by *Prussia* to Inhabitants of *Pomerania* and *Rugen.*
9. Maintenance of Religious Establishments, &c.
10. Maintenance of Commerce with *Great Britain.*
11. Commercial Intercourse between *Sweden* and *Norway,* and *Pomerania* and *Rugen.*
12. Settlement of Public and Private Debts.

ART. TABLE.

13. Freedom of *Swedes* in *Pomerania* and *Rugen*, and of Inhabitants of *Pomerania* and *Rugen* in *Sweden* to return to their own Country, and to dispose of their Property.
14. Archives, &c., to be delivered to *Prussian* Commissioners.
15. Public Functionaries to be appointed by King of *Prussia*. Pensioners to continue to receive their Pensions.
16. Postal Service.
17. *Great Britain* and *Russia* to be invited to accede to the Treaty as well as to the Declarations Annexed.
18. Ratifications.

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Russian Declaration.
Separate and Secret Article.—*Vienna*, 7th June, 1815.

(Translation.*)

*Cession of Pomerania and Rugen to Prussia by Sweden.*

ART. I. His Majesty the King of Sweden and Norway cedes in all perpetuity for himself and his Successors to the Throne of Sweden, according to the order of succession of the 26th September, 1810, to His Majesty the King of Prussia and his Successors to the Throne, the Duchy of Pomerania, and the Principality of Rugen, with the whole of their Dependencies, Islands, Fortresses, Towns, and Countries.

ARTS. II to XVIII (see Table).

Done at Vienna, 7th June, 1815.

(L.S.) LE PRINCE DE HARDENBERG.
(L.S.) LE BARON DE HUMBOLDT.
(L.S.) LE COMTE CHARLES AXEL DE LOWENHIELM.

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RUSSIAN DECLARATION.

We, First Plenipotentiary of His Majesty the Emperor of All the Russias at the Congress of Vienna, having acted as Mediator in the Arrangements settled between the Courts of Sweden and Prussia, declare that the Treaty signed this day between His Majesty the King of Sweden and Norway and His Majesty the King of Prussia, with the two Separate Danish and Swedish Declarations, and which form part thereof, as well as the clauses, conditions, and stipulations contained therein, has been concluded through the Mediation of His Majesty the Emperor of All the Russias. In faith whereof we have, by virtue of our general

* For French version, see "State Papers," vol. ii, p. 975.

Full Powers, and in our capacity of First Plenipotentiary of His said Majesty at the Congress of Vienna, signed the present, and have affixed thereto the Seal of our Arms.

Done at Vienna, 7th June, 1815.

(L.S.) LE PRINCE DE RAZOUMOFFSKY.

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SEPARATE AND SECRET ARTICLE. *Vienna, 7th June*, 1815.

His Majesty the King of Prussia wishing to contribute all in his power entirely to remove the differences which have arisen since the Treaty of Kiel of 14th January, 1814,* between His Majesty the King of Sweden and Norway and His Majesty the King of Denmark, has obtained from the Court of Denmark and has caused to be delivered to the Plenipotentiary of His Swedish Majesty, a Declaration signed by the Plenipotentiaries of His Danish Majesty in the following terms:

DANISH DECLARATION.

"His Danish Majesty declares in the most formal manner, that in consequence of an Agreement made with His Majesty the King of Prussia, he renounces with reference to Sweden, to all pretensions or claims founded on the non-execution of Article VII of the Treaty of Peace of 14th January, 1814; that he releases His Majesty the King of Sweden and Norway from the obligation to pay him 600,000 Rixdalers of the Bank of Sweden still remaining due on the 1,000,000 Rixdalers of the Bank of Sweden stipulated for in his favour, and that he will henceforth consider the Treaty of Kiel as being in full force, in its entire purport and in all its conditions and clauses, not changed or modified by the present Declaration.

"The present Declaration of the Danish Plenipotentiaries, made in the name of their August Sovereign, will be ratified by His Danish Majesty, and that Ratification will be delivered within 6 weeks to the Ministry of His Majesty the King of Prussia, to be exchanged for the Ratification of His Swedish Majesty, of a similar Declaration made this day by the Plenipotentiaries of that Sovereign.

"In faith whereof, the Plenipotentiaries of His Majesty the

* See Page 2041.

King of Denmark have signed the present Declaration, and have affixed thereto the Seal of their Arms.

" Done at Vienna, 7th June, 1815."

(L.S.) LE COMTE CHR. BERNSTORFF.
(L.S.) LE COMTE JOACH. BERNSTORFF.

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SWEDISH COUNTER DECLARATION.

" His Majesty the King of Sweden and Norway declares in the most formal manner: that in consequence of an Agreement made with His Majesty the King of Prussia, he renounces, with reference to the Treaty of Peace signed between Sweden and Denmark, on the 14th January, 1814, to all pretensions or claims founded on occurrences or events subsequent to the conclusion of that Peace, and particularly on account of the non-execution of Article XV of the said Treaty; and that His said Majesty will henceforth consider the above-mentioned Treaty as being in full force in its entire purport and in all its conditions and clauses, not changed or modified by the present Declaration.

" This Declaration of the Swedish Plenipotentiary, made in the name of his August Sovereign, will be ratified by His Swedish and Norwegian Majesty, and that Ratification will be delivered within 6 weeks to the Ministry of His Majesty the King of Prussia, to be exchanged for the Ratification of His Danish Majesty, of a similar Declaration made this day by the Plenipotentiaries of that Sovereign.

" In faith whereof the Plenipotentiary of His Majesty the King of Sweden and Norway has signed the present Declaration, and has affixed thereto the Seal of his Arms.

" Done at Vienna, 7th June, 1815."

(L.S.) LE COMTE CHARLES AXEL DE LOWENHIELM.

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The present Separate and Secret Article shall have the same force and value as if it were actually inserted in the Treaty. It shall be ratified and the Ratifications thereof shall be exchanged within the term of 6 weeks.

Done at Vienna, 7th June, 1815.

(L.S.) LE PRINCE DE HARDENBERG.
(L.S.) LE BARON DE HUMBOLDT.
(L.S.) LE COMTE CHARLES AXEL DE LOWENHIELM.

## *TERRITORIAL CONVENTION between Austria and Prussia. Signed at Vienna, 12th June*, 1815.

(Translation.)

TABLE.

Cessions made to the Emperor of *Austria*: on the left Bank of the *Rhine*, the Department of *Mont Tonnère* (with the exception of a District of 140,000 Inhabitants forming the Towns of *Worms* and *Frankenthal*, and the Borough of *Oppenheim*, destined for the Grand Duke of *Darmstadt*), and also a part of the Department of the *Sarre* to be agreed upon. On the Right Bank of the *Rhine*, a part of the Department of *Fulda*; in the Department of *Frankfort*, the Village of *Ober-Erlenbach*, half of *Nieder-Ursel* belonging to the Count of *Solms-Roedelheim* and the Lands of the Commandery of the Teutonic Order of *Frankfort*; in the Duchy of *Nassau*, the Land of *Johannisberg*, which had belonged to the Principality of *Fulda*; the Principality of *Isenburg* with the Lordships of *Heusenstamm*, and the Village of *Eppartshausen*; and the Principality of *Hohengeroldseck*, belonging to the Prince of *Leyen*.

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## *TREATY between Prussia and Hesse-Rothenburg. Signed at Cassel, 16th October*, 1815.

[Referred to at pages 323, 628, 630, 634.]

ART. TABLE.

1. Accession of the Landgrave of *Hesse-Rheinfels-Rothenburg* to the Treaty of this date (**No. 37**) between *Prussia* and *Hesse-Cassel*, and Cession to *Prussia* of all Rights, Possessions, and Profits belonging to him in the Lower Country of *Katzenellenbogen*, the Lordship of *Plesse*, with the Monastery of *Höckelheim*, and the Bailiwick of *Neuengleichen*. Reservation of all Rights accruing to him from Family Treaties, especially those in regard to the *Rothenburg Quart*.
2. Renunciation of Title of *Rheinfels*.
3. Guarantee by *Prussia*.
4. Guarantee of the Confederation to be obtained.
5. Ratifications.

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## *CONFERENCES (Nos. 1 to 8) between the Plenipotentiaries of Great Britain, Austria, France, Prussia, and Russia, relative to the Affairs of Naples, were held at Troppau from 23rd October to 24th December*, 1820.

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*CONFERENCES* (*Nos.* 1 *to* 14) *between the Plenipotentiaries of Great Britain, Austria, France, Prussia, and Russia, relative to the Affairs of Naples, were held at Laybach from* 11*th January to* 22*nd February*, 1821.

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*PROTOCOLS of Conferences* (*Nos.* 1 *to* 36) *between Great Britain, France, and Russia, relative to the Mediation with Turkey and the Pacification of Greece. Constantinople, August to December*, 1827. [See "State Papers," vol. xvii, p. 224.]

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*PROTOCOLS of Conferences* (*Nos.* 1 *to* 29) *and Correspondence between Great Britain, France, and Russia, relative to the Mediation with Turkey and the Pacification of Greece. Confirmation of Turkish Sovereignty over Candia and Samos.* 1827—1830. [See "State Papers," vol. xvii, p. 6.]

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*PROTOCOLS of Conferences* (*Nos.* 1 *to* 70) *and Correspondence between Great Britain, Austria, France, Prussia, and Russia, relative to the Affairs of Belgium.* 1830—1833. [See "State Papers," vol. xviii, p. 728, vol. xix, p. 776.]

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*FIRMAN addressed by the Sultan to Mehemet Ali, Pasha of Egypt, relative to Hereditary Succession, the levying of Taxes in the name of the Porte, the Coinage of Money, and the number of Troops to be raised for Service in Egypt.* 12*th February*, 1841. [See "State Papers," vol. lix, p. 571.]

[See page 1012.]

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*FIRMAN addressed by the Sultan to Mehemet Ali, Pasha of Egypt, specifying the amount of Tribute to be paid to the Sultan, and the mode of Payment. May*, 1841. [See "State Papers," vol. lix, p. 578.]

[See page 1012.]

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*FIRMAN addressed by the Sultan to Mehemet Ali, Pasha of Egypt, relative to the Hereditary Succession, the levying of Taxes in the name of the Porte, the coinage of Money, and the number of Troops to be raised for Service in Egypt. 1st June*, 1841. [See "State Papers," vol. lix, p. 578.]

[See page 1012.]

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*VIEWS of the British Government with regard to the Inviolability of Treaties. London, November*, 1846.

*Viscount Palmerston to the Marquis of Normanby.*

(Extract.) *London, 23rd November*, 1846.

"When a Treaty has been signed by several Powers, three out of a larger number cannot of their own authority, and without the concurrence of the others, alter the Stipulations of such Treaty."

[See "State Papers," vol. xxxv, p. 1086.]

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*VIEWS of the British Government with reference to the proposed Assembly of a Congress of the Great Powers of Europe, for the purpose of Settling the Affairs of Italy and other European Questions. London, 10th October*, 1848.

*Viscount Palmerston to the Marquis of Normanby.*

My Lord, *Foreign Office, 10th October*, 1848.

With reference to the proposed Intervention of the Central Government of Germany in the Italian Mediation, I have to observe to your Excellency that however dazzling the notion may at first sight appear of a general Congress of the Great Powers of

Europe, assembled for the purpose of settling all the Affairs of Italy, and perhaps also of other parts of Europe, yet such a scheme would be attended in its execution with many practical difficulties, and be liable to many objections, and Her Majesty's Government have great doubts whether it would not be better that England and France should confine themselves to the humbler task of detailed and local Mediation, point by point, as occasion may arise.

The Congress of Vienna, which is the example to which those persons look who incline to a renewed Congress now, was assembled under circumstances very different from those which at present exist. The tide of War had swept over the whole surface of Europe from the Rhine to Moscow, and from Moscow back to the Seine; all the smaller States of Europe had been conquered and reconquered, and were considered almost at the arbitrary disposal of the Great Powers whose armies had decided the fate of the War. The Statesmen who sat in Congress therefore considered themselves at liberty to parcel out with great freedom the several territories of Europe.

The smaller Sovereigns, Princes, and States had no Representatives in the deciding Congress, and no voice in the decisions by which their future destiny was determined. They were all obliged to yield to overruling power, and to submit to decisions which were the result, as the case might be, of justice or of expediency, of generosity or of partiality, of regard to the welfare of nations, or of concession to personal solicitations.

But England, France, Austria, Prussia, and Russia have not at present any similar pretence to dispose of the affairs of any of the smaller States of Europe, either in Italy or elsewhere; and a Congress assembled for the purpose of dealing with those affairs ought, perhaps, to consist not only of the Representatives of the greater Powers, but also of Envoys from all the smaller States whose interests were therein to be treated.

The proceedings of such an Assembly would of course be attended with much delay, and might possibly be marked by differences of opinion which might prevent any very satisfactory results from being attained. But in a matter of such grave importance Her Majesty's Government would not wish to press unduly any doubts or difficulties of this kind; and if it should be the opinion of other Powers that a general Conference of this description would contribute to the satisfactory settlement of questions now pending, and would thereby tend to preserve the Peace of Europe, Her Majesty's Government would willingly

concur in the arrangements which might be requisite for convening such a Conference.

I am, &c.,

*H. E. The Marquis of Normanby.* PALMERSTON.

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*PROTOCOLS of Conferences between Great Britain, Austria, Belgium, Denmark, France, Hanover, Hanse Towns, Mecklenburg-Schwerin, Netherlands, Prussia, Russia, Spain, and Sweden and Norway, relative to the Redemption of the Sound Dues. (Nos. 1 to 5.) Copenhagen, February, March,* 1857. [See "State Papers," vol. xlix, 902.]

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*PROTOCOL of Conference between Great Britain, Austria, Belgium, France, Hanover, Mecklenburg-Schwerin, Oldenburg, Netherlands, Prussia, Russia, Sweden and Norway, Hanse Towns, and Denmark, relative to the Redemption of the Sound Dues. Copenhagen, 14th March,* 1857. [See "State Papers," vol. xlvii, p. 35.]

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*PROTOCOLS of Conferences between the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, and Turkey, relative to the Armed Intervention of European Powers for the Restoration of Tranquillity in Syria. Nos.* 1—4. *Paris, 3rd August,* 1860, *to 15th March,* 1861. [See "State Papers," vol. li, p. 278.]

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*PROTOCOLS of Meetings (Nos.* 1—29) *held between the Commissioners of Great Britain, Austria, France, Prussia, Russia, and Turkey, relative to disturbances in Syria. Beyrout, 5th October,* 1860, *to 4th May,* 1861. [See "State Papers," vol. p. li, 293.]

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*JOINT NOTE between Great Britain, France and Russia, engaging that no Member of either of the Imperial or Royal Families of the Three States shall accept or wear the Crown of Greece.*

(Translation as laid before Parliament.*)

(Extract.) *Athens*, 15*th December*, 1862.

FRANCE, Great Britain, and Russia, declare themselves bound by the Engagement that no Member of the Imperial and Royal Families reigning in the Three States, can either accept, or wear the Crown of Greece.

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*FIRMAN addressed by the Sultan to the Viceroy of Egypt, modifying the Order of Succession, and granting certain Privileges.* 27*th May*, 1866. [See "State Papers," vol. lvi, p. 1167.]

[See page 1012.]

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*DECLARATION made by the Russian and Turkish Plenipotentiaries at the Conferences held at Paris in* 1866 *relative to the affairs of the Principalities of Moldavia and Wallachia, as to the Inviolability of Treaties.*

4*th June*, 1866.

(Extract, Protocol No. 10.)

"The Treaties [relating to the Principalities] formed a whole which could not be violated more in one point than in another."

[See "State Papers," vol. lvii, p. 594.]

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*FIRMAN addressed by the Sultan to the Viceroy of Egypt, settling the Mode of Appointing a Regency in the event of His Highness dying before his Son should attain the age of* 18 *years.* 15*th June*, 1866. [See "State Papers," vol. lix, p. 580.]

[See page 1012.]

* For French version, see "State Papers," vol. lviii, p. 1107.

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*FIRMAN addressed by the Sultan to the Khedive of Egypt, confirming the privilege of Hereditary Succession, and the right to conclude Commercial and other Treaties, having no political signification.* 8*th June*, 1867. [See "State Papers," vol. lix, p. 582.]

[See page 1012.]

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*FIRMAN addressed by the Sultan to the Khedive of Egypt, relative to the levying of Taxes in Egypt in the name of the Sultan, and to Contracts for Foreign Loans being submitted to the Sultan for Approval.* 29*th November*, 1869. [See "State Papers," vol. lix, p. 583.]

[See page 1012.]

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*FIRMAN addressed by the Sultan to the Khedive of Egypt, relative to the Order of Succession; Regency; Internal and Financial Administration; the conclusion of Non-Political Treaties; the Contract of Loans; the Levy of Troops; Coinage; the right to build Vessels of War, except Iron-clads; Naval and Military Flags; and the Payment of Tribute.* 8*th June*, 1873. [See "State Papers," vol. lxiii.]

[See page 1012.]

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# LIST OF TREATIES, &c.

Between Great Britain and Foreign Powers, for the maintenance of the Peace of Europe.

**1814 to 1875**

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